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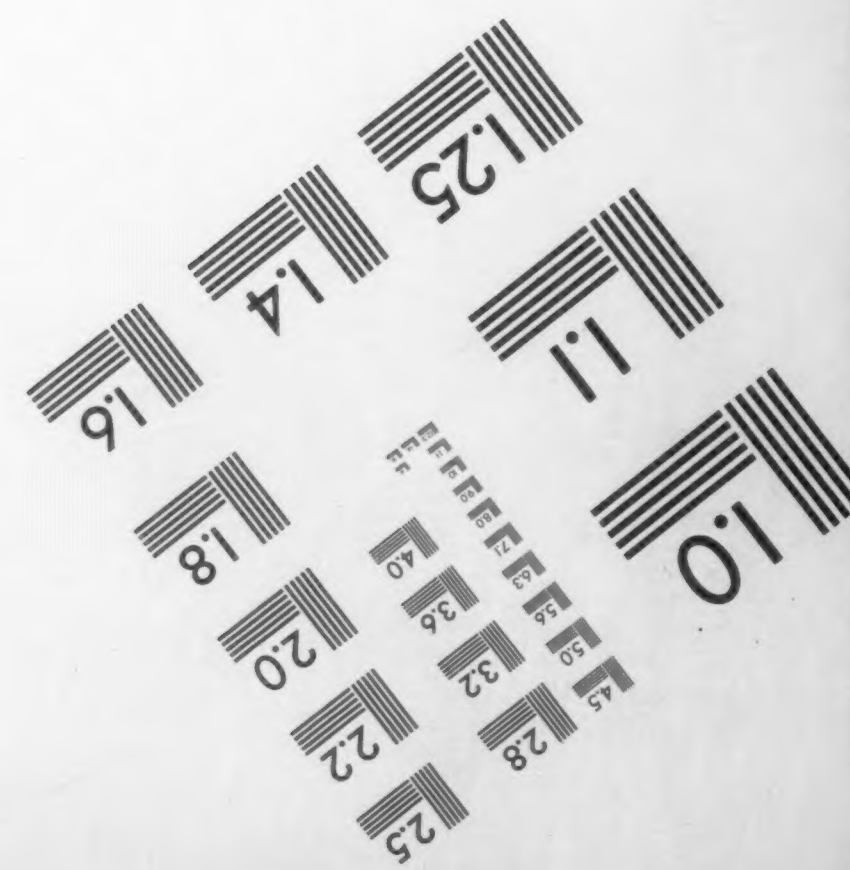
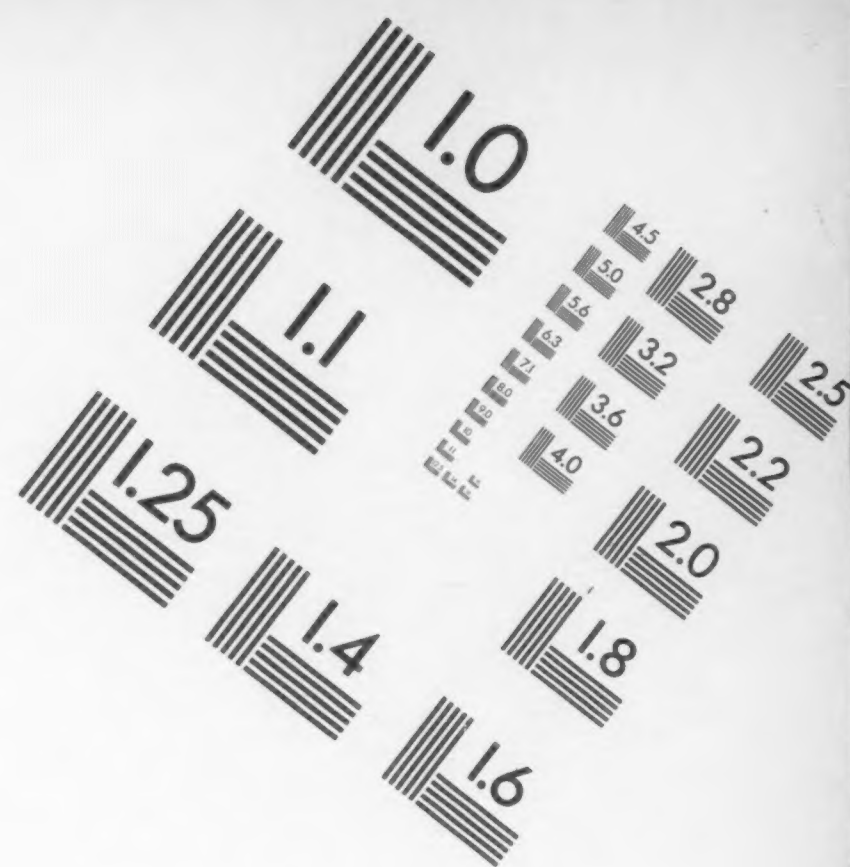
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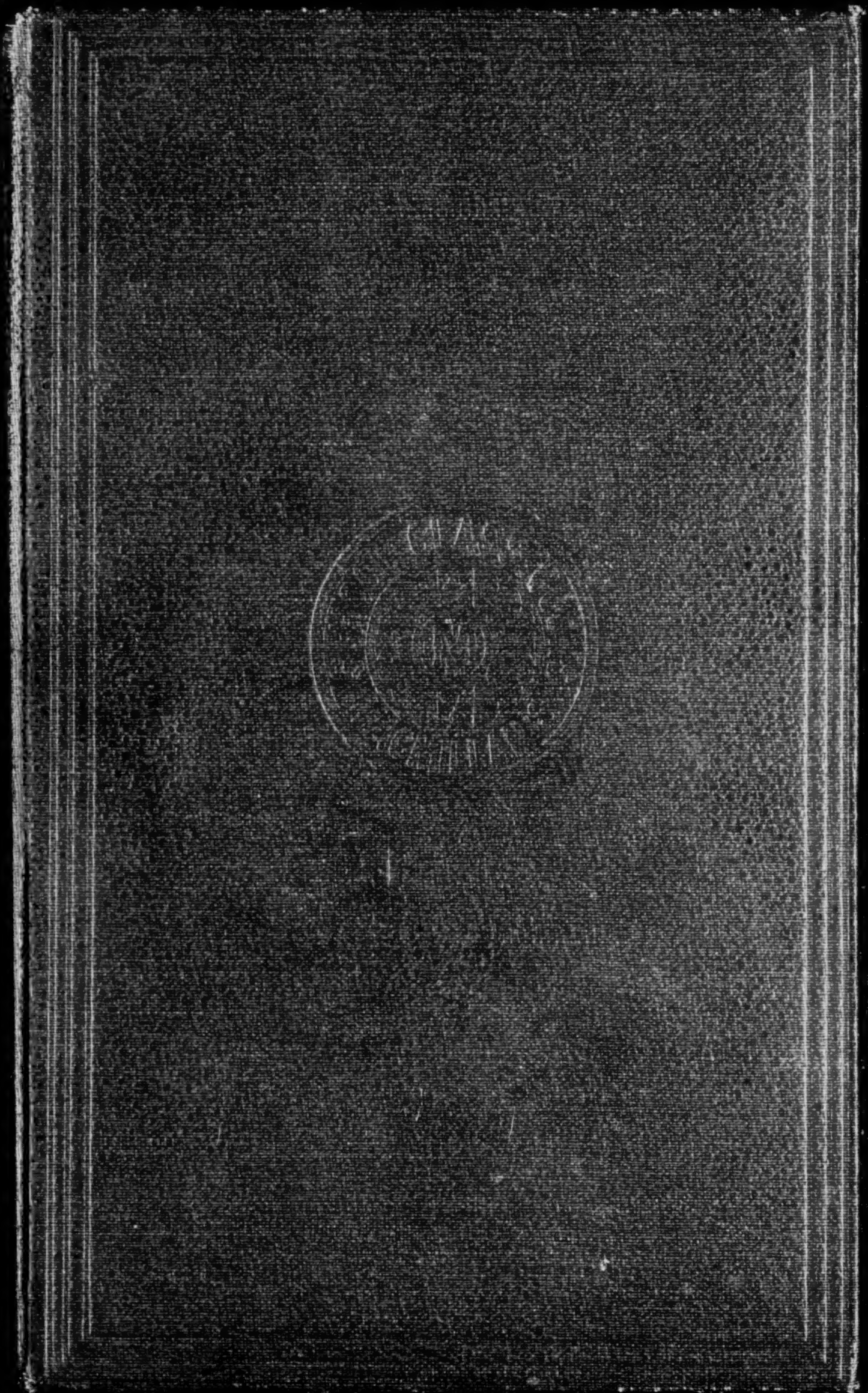
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DEMOSTHENES

THE ORATION AGAINST LEPTINES



DEMOSTHENES

THE ORATION AGAINST LEPTINES

EDITED WITH NOTES

BY THE

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London

MACMILLAN AND CO.

1881

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PREFACE.

IN the present edition the text of Anton Westermann (*Ausgewählte Reden des Demosthenes*, Berlin, 1874) has been adopted, and I have also derived great advantage from his Notes.

The Prolegomena and Commentary of F. A. Wolf have also been carefully studied, as well as the Variorum Notes in Dindorf's Edition. (Oxford, 1849.)

Reiske's pages are inserted in the margin, as being generally recognised for purposes of quotation; and reference is invariably made to them in the Notes when passages are quoted from other portions of Demosthenes.

J. R. KING.

OXFORD,
July 7, 1881.

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INTRODUCTION.

THE speech against Leptines was delivered in B.C. 355. Some time before, perhaps in the previous year, Leptines had proposed and carried a law which repealed all grants of exemption from the ordinary *λειτουργίαι* of the State, except those made to the descendants of Harmodius and Aristogeiton, and declared it unlawful to propose any similar grants in the future. The law was based on the difficulty which had been recently experienced in finding a sufficient number of qualified persons to undertake the *λειτουργίαι*, and justified by the fact that some who had enjoyed the exemption were unworthy of the privilege. It was, however, not likely that a measure prejudicially affecting so many private rights should remain unchallenged, and we learn that before the present action Leptines had been threatened with three prosecutions (§ 145). One of these had fallen through from the death of its promoter, Bathippus, and the other two had in some way or other been compromised by Leptines. Meanwhile the time had expired during which he could be personally held liable for proposing an illegal measure, and all that it was now competent for an objector to do was to move the rejection of the law before the *νομοθέται*. This was done conjointly by two of the aggrieved persons, Apsephion, son of Bathippus, and Ctesippus,

son of the famous general Chabrias. Apsephion was supported by Phormion, Ctesippus by Demosthenes. The case was opened by Apsephion and Phormion, so that the speech of Demosthenes, though probably the most important in the case, was the last of the series delivered on his side of the question. It is entitled *πρὸς Λεπτίνην*, not *κατὰ Λεπτίνου*, because Leptines was not in the position of defendant in an action, but of an opponent on a matter of State policy, so that the speech was not directed personally against him, but rather in answer to his arguments.

The speech against Leptines has always held a high place in the estimation both of ancient and of modern critics. It is described by Dionysius of Halicarnassus¹ as *χαριέστατος ἀπάντων τῶν λόγων καὶ γραφικώτατος*; Cicero² praises it as characterised throughout by subtlety. F. A. Wolf,³ while emphasising this judgment of Cicero's, adds that it is no less distinguished for its truthfulness, and the beauty and nobility of its sentiments, as well as for the force and cogency of its arguments. Among the semi-public orations, delivered before the law-courts but involving points of public policy, he places it next to the speech upon the Crown. Dr. Donaldson⁴ praises it for the great knowledge which it displays of the laws and history of Athens, for its acute reasoning, and its powerful declamation.

Demosthenes begins his speech by urging the general injustice and impolicy of the measure introduced by Leptines. It was unjust, first towards the

¹ Ad. Ammaeum, p. 724.

² Orator, c. 31, 111: 'Multae sunt eius orationes totae subtiles, ut contra Leptinem.'

³ Proleg. in Orat. Lept., §§ 42-44.

⁴ Hist. of Greek Literature, ii. 330.

people, whom it deprived of their power to bestow honours, because they had sometimes been bestowed upon unworthy objects; and secondly towards the worthy holders of the privilege, who would be punished for the misdeeds of other men. It was impolitic, both as removing a powerful stimulus to patriotic action, and as destroying men's faith in the honour of democratic governments, whose gifts had hitherto been looked upon as more secure than those of oligarchies or tyrants (§§ 1-17).

The counterbalancing advantages would be infinitesimal. The number of persons enjoying the immunity was very small, and all the richer men among them were liable to the trierarchy, which would itself exempt them from the other 'liturgies,' whilst admitting in turn of no exemptions whatsoever. The treasury would rather lose than gain, for the privilege had enabled some to contribute to the extraordinary expenses of the State, whose means would otherwise have been exhausted by the ordinary 'liturgies' (§§ 18-27).

The action of the law would be especially prejudicial where it operated against foreigners who had done distinguished service to the State; as in the case of Leucon, who had shown singular generosity in befriending the Athenian corn trade; and Epicerdes, who had so signally relieved the Athenian distress at the close of the Sicilian expedition. If they proved faithless and ungrateful to such benefactors, how could they look for similar services in the future? Nor was it only individuals, but whole States whom they would wrong; as notably the Corinthians, whose friendliness to Athens forty years before had caused the exile of all the democratical leaders in that city (§§ 28-66).

Looking at home, he might instance Conon and Chabrias as men who had well deserved the honours which they had received. Was it well for Athens to withdraw these honours from their sons, when foreign nations, and in the case of Chabrias, even the Chians, against whom he had himself conducted a victorious campaign, regarded as inviolable the honours which they had granted? (§§ 67-87).

All that Leptines could fairly ask was conceded by the bill which his antagonists had introduced, and which they pledged themselves to persevere with, securing all deserving persons in their privileges, but enabling the State to deprive others of the exemption on proof of their unworthiness. This was the fair and constitutional mode of proceeding, whereas the law of Leptines was inconsistent with another law, 'that what the people gave should be secure;' besides being irregular in other points (§§ 88-101).

The example of other States, even if correctly quoted, was of no force in Athens, where customs and temper were so very different; nor was there much more point in bringing forward the practice of their own ancestors, who, if they did not grant exemptions, yet rewarded merit in other ways, and at any rate never revoked what they had once granted (§§ 102-119).

It did not mend matters to say that Leptines left other rewards untouched; for even those who were thereby left in possession of some portion of their privileges would feel that they had been robbed of others which should have been no less secure (§§ 120-124).

The most unscrupulous of his arguments was that the 'liturgies' came under the head of religious duties, from which no one ought to have exemption.

If this were true, on what ground did he propose to retain the privilege for the descendants of Harmodius and Aristogeiton? (§§ 125-130).

If the present system were abused by impostors claiming the exemption, the simple remedy was to call upon such men to prove their claims (§§ 131-133).

The law would injure the reputation of the State, and give it an ill name for deceiving its benefactors, for doing in public what each of its citizens would be ashamed of doing in private, for withdrawing honours through envy of those who had received them, and for sacrificing its dignity to gratify the personal malice of a man like Leptines. Leptines himself would do well to consider whether his measure did not lay him open to the suspicion that he had no wish to earn such rewards by any conduct of his own (§§ 134-145).

The supporters of Leptines were scarcely the right men to urge such a measure, even if they had not been technically disqualified by having been *σύνδικοι* before (§§ 146-153).

Besides other faults, the law was unconstitutional, as providing no less than three penalties for the same offence, if offence it could be called to seek reward for service to the State. It was offensive in its want of discrimination, pressing with equal hardness on the meritorious and the undeserving; and it was unstatesmanlike in making no provision for the uncertainty of the future, which might produce crises like the tyranny of the Peisistratidæ, and benefactors like Harmodius and Aristogeiton (§§ 154-162).

The Court could hardly fail to condemn the law, if only they would bear in mind the consequences that would ensue in either event, and see on which side lay the true advantage and the honour of the State;

instead of listening to the impudent clamour of evil counsellors (§§ 163-167).

We are told by Dion Chrysostomus¹ that the trial resulted in a verdict against Leptines, *ἔαλω γραφῆς*. This must be technically incorrect, as Leptines was shielded from any penal consequences by the statute of limitations; but it probably means no more than that the decision was against his law, which was repealed. Even this has been disputed by Bishop Wordsworth,² on the authority of an inscription found in the wall of Athens, to the effect that Ctesippus, son of Chabrias, provided a chorus of boys for the Cecropid tribe, which he could not have been called upon to do, had Demosthenes secured the confirmation of his privilege. But, granting the identity of Ctesippus, it is quite possible that he might have voluntarily undertaken a burden from which he was legally exempt; so that the tablet is not necessarily inconsistent with Dion's statement. It would therefore seem probable that the contest resulted in the repeal of the obnoxious law; but it is not known whether the counter-proposal of Demosthenes, that the exemptions should be retained, with liberty to move for their repeal in individual cases of unworthiness, was accepted in its place.

¹ Oratio Rhodiaca, p. 365.

² Athens and Attica, p. 140.

ΠΕΡΙ ΤΗΣ

ΑΤΕΛΕΙΑΣ ΠΡΟΣ ΛΕΠΤΙΝΗΝ.

ἌΝΔΡΕΣ δικασταί, μάλιστα μὲν εἵνεκα τοῦ νομί-
ζειν συμφέρειν τῇ πόλει λελύσθαι τὸν νόμον,
εἶτα καὶ τοῦ παιδὸς εἵνεκα τοῦ Χαβρίου ὁμολόγησα
τούτοις ὡς ἂν οἷός τ' ὦ συνερεῖν. ἔστι δ' οὐκ
ἄδηλον, ὦ ἄνδρες Ἀθηναῖοι, τοῦθ', ὅτι Λεπτίνης,
κἂν τις ἄλλος ὑπὲρ τοῦ νόμου λέγῃ, δίκαιον μὲν
οὐδὲν ἐρεῖ περὶ αὐτοῦ, φήσῃ δ' ἀναξίους τινὰς
ἀνθρώπους εὐρομένους ἀτέλειαν ἐκδεδυκέναι τὰς
λειτουργίας, καὶ τούτῳ πλείστῳ χρήσεται τῷ
λόγῳ. ἐγὼ δ' ὅτι μὲν τινῶν κατηγοροῦντα²
πάντας ἀφαιρεῖσθαι τὴν δωρεὰν τῶν ἀδίκων ἐστὶν
ἑάσω. καὶ γὰρ εἴρηται τρόπον τινὰ καὶ ὑφ'
ὑμῶν ἴσως γινγνώσκεται· ἀλλ' ἐκεῖν' ἂν ἐροίμην
ἡδέως αὐτόν, τίνος εἵνεκ', εἰ τὰ μάλιστα μὴ
τινές, ἀλλὰ πάντες ἦσαν ἀνάξιοι, τῶν αὐτῶν
ἡξίωσεν ὑμᾶς τε καὶ τούτους. ἐν μὲν γὰρ τῷ
γράψαι "μηδένα εἶναι ἀτελῆ" τοὺς ἔχοντας
ἀφείλετο τὴν ἀτέλειαν, ἐν δὲ τῷ προσγράψαι
"μηδὲ τὸ λοιπὸν ἐξεῖναι δοῦναι" ὑμᾶς τὸ δοῦναι
ὑμῖν ἐξεῖναι. οὐ γὰρ ἐκεῖνό γ' ἔνεστιν εἰπεῖν,
ὡς τὸν αὐτὸν τρόπον, ὅνπερ οὓς ἔχοντας ἀφείλετο
τὴν δωρεὰν ἀναξίους ἐνόμιζεν, οὕτω καὶ τὸν

2 δῆμον ἀνάξιον ἡγεῖτο κύριον εἶναι τοῦ δοῦναι,
 3 εἴαν τῷ βούληται. ἀλλὰ νῆ Δί' ἐκεῖν' ἂν ἴσως
 εἴποι πρὸς ταῦτα, ὅτι διὰ τὸ ῥαδίως ἐξαπατᾶσθαι 458
 τὸν δῆμον, διὰ τοῦθ' οὕτως ἔθηκε τὸν νόμον. τί
 οὖν κωλύει πάντ' ἀφηρῆσθαι καὶ ὅλως τὴν πολι-
 τείαν ὑμᾶς κατὰ τοῦτον τὸν λόγον; οὐ γὰρ ἔστιν
 ἐφ' ὅτου τοῦτ' οὐ πεπόνθατε τῶν πάντων, ἀλλὰ
 καὶ ψηφίσματα πολλὰ πολλάκις ἐξαπατηθέντες
 κεχειροτονήκατε, καὶ συμμάχους ἤδη τινὰς ἥττους
 ἀντὶ κρείττωνων ἐπείσθηθ' ἐλέσθαι, καὶ ὅλως ἐν
 οἶμαι πολλοῖς οἷς πράττετε καὶ τοιοῦτόν τι
 4 συμβαίνειν ἀνάγκη. ἄρ' οὖν θησόμεθα νόμον
 διὰ ταῦτα, μηδὲ τὸ λοιπὸν ἐξεῖναι τῇ βουλῇ μηδὲ
 τῷ δήμῳ μήτε προβουλεύειν μήτε χειροτονεῖν
 μηδέν; ἐγὼ μὲν οὐκ οἶμαι· οὐ γὰρ ἔσμεν
 ἀφαιρεθῆναι δίκαιοι περὶ ὧν ἂν ἐξαπατηθῶμεν,
 ἀλλὰ διδαχθῆναι πῶς τοῦτο μὴ πεισόμεθα, καὶ
 θέσθαι νόμον οὐχ ὅς ἀφαιρήσεται τὸ κυρίου
 ἡμᾶς εἶναι, ἀλλὰ δι' οὐ τὸν ἐξαπατῶντα τιμωρη-
 σόμεθα.
 5 Εἰ τοίνυν τις ἐάσας ταῦτ' αὐτὸ καθ' αὔτ'
 ἐξετάσειεν, πότερόν ποτε λυσιτελέστερόν ἐστι
 κυρίου μὲν ὑμᾶς εἶναι τῆς δωρεᾶς, ἐξαπατηθέντας
 δέ τι καὶ φαύλῳ τινὶ δοῦναι, ἢ διὰ τοῦ παντελῶς
 ἀκύρους γενέσθαι μηδ' ἂν ἄξιόν τιν' εἰδῆτ' ἐξεῖναι
 τιμῆσαι, εὖροιτ' ἂν μᾶλλον ἐκεῖνο λυσιτελοῦν.
 διὰ τί; ὅτι ἐκ μὲν τοῦ πλείονος ἢ προσήκει
 τιμᾶν πολλοὺς εὖ ποιεῖν προκαλεῖσθ' ὑμᾶς, ἐκ δὲ
 τοῦ μηδενὶ μηδέν, μηδ' ἂν ἄξιος ᾖ, διδόναι πάντας
 6 ἀπείρξετε τοῦ φιλοτιμείσθαι. πρὸς δὲ τούτῳ καὶ

δι' ἐκεῖνο, ὅτι οἱ μὲν ἀνάξιόν τινα τιμήσαντες
 εὐηθείας τινὰ δόξαν ἔχοιεν ἄν, οἱ δὲ τοὺς ἀγαθόν
 τι ποιοῦντας ἑαυτοὺς μὴ τοῖς ὁμοίοις ἀμειβόμενοι
 459 κακίας. ὅσῳ δὴ κρείττον ἐνέθη δοκεῖν ἢ πονηρὸν
 εἶναι, τοσούτῳ λῦσαι τὸν νόμον κάλλιον ἢ θέσθαι.

Οὐ τοίνυν ἔμοιγ' οὐδ' ἐκεῖν' εὐλογον, ὦ ἄνδρες 7
 Ἀθηναῖοι, σκοπούμεν φαίνεται, καταμεμφόμενόν
 τινας ἐπὶ ταῖς ὑπαρχούσαις δωρεαῖς τοὺς χρησί-
 μους ὄντας τῶν τιμῶν ἀποστερεῖν. εἰ γὰρ
 ὑπαρχουσῶν τούτων φαῦλοι καὶ ἀνάξιοί τινες
 κατὰ τὸν τούτων λόγον εἰσὶν, τί χρὴ προσδοκᾶν
 ἔσεσθαι τόθ', ὅταν παντελῶς μηδὲ πλέον μέλλῃ
 μηδὲν εἶναι τοῖς χρηστοῖς οὖσιν;

Ἔτι τοίνυν ὑμᾶς κακεῖν' ἐνθυμείσθαι δεῖ, ὅτι 8
 ἐκ τῶν νῦν ὑπαρχόντων νόμων καὶ πάλαι κυρίων,
 οὓς οὐδ' αὐτὸς οὗτος ἀντεῖποι ἂν μὴ οὐχὶ καλῶς
 ἔχειν, ἐνιαυτὸν διαλιπὼν ἕκαστος λειτουργεῖ,
 ὥστε τὸν ἡμισὺν ἐστ' ἀτελὴς τοῦ χρόνου. εἴθ'
 ἥς πᾶσι μέτεστι τὸ ἡμισυ, καὶ τοῖς μηδ' ὅτι οὖν
 ἀγαθὸν πεποιηκόσιν ὑμᾶς, ταύτης τοὺς εὖ ποιή-
 σαντας, ἃ προστεθείκαμεν αὐτοῖς, ταῦτ' ἀφελώ-
 μεθα; μηδαμῶς· οὔτε γὰρ ἄλλως καλὸν οὐθ' ὑμῖν
 πρέπον. πῶς γὰρ οὐκ αἰσχρόν, ὦ ἄνδρες 9
 Ἀθηναῖοι, κατὰ μὲν τὴν ἀγορὰν ἀψευδεῖν νόμον
 γεγράφθαι, ἐφ' οἷς οὐδέν ἐστι δημοσίᾳ βλάβος
 εἴ τις ψεύδεται, ἐν δὲ τῷ κοινῷ μὴ χρῆσθαι τῷ
 νόμῳ τούτῳ τὴν πόλιν τὴν αὐτὴν ἐπιτάξασαν
 τοῖς ἰδιώταις, ἀλλὰ τοὺς ἀγαθόν τι πεποιηκότας
 ἐξαπατῆσαι, καὶ ταῦτ' οὐ μικρὰν ζημίαν ὀφλήσειν
 μέλλουσιν; οὐ γὰρ εἰ μὴ χρήματ' ἀπόλλυτε μόνον 10

σκεπτέον, ἀλλ' εἰ καὶ δόξαν χρηστήν, περὶ ἧς μᾶλλον σπουδάζετ' ἢ περὶ χρημάτων, καὶ οὐ μόνον ὑμεῖς, ἀλλὰ καὶ οἱ πρόγονοι. τεκμήριον δέ· χρήματα μὲν γὰρ πλείστα ποτε κτησάμενοι πάνθ' ὑπὲρ φιλοτιμίας ἀνῆλωσαν, ὑπὲρ δὲ δόξης 460 οὐδένα πώποτε κίνδυνον ἐξέστησαν, ἀλλὰ καὶ τὰς ἰδίας οὐσίας προσαναλίσκοντες διετέλουν. νῦν τοίνυν οὗτος ὁ νόμος ταύτην ἀντὶ καλῆς αἰσχρὰν τῇ πόλει περιάπτει, καὶ οὔτε τῶν προγόνων οὔθ' ὑμῶν ἀξίαν. τρία γὰρ τὰ μέγιστ' ὀνειδῆ κτᾶται, φθονερούς, ἀπίστους, ἀχαρίστους εἶναι δοκεῖν.

- 11 "Οτι τοίνυν οὐδ' ἐστὶν ὅλως, ὦ ἄνδρες Ἀθηναῖοι, τοῦ ἡθους τοῦ ὑμετέρου κύριον ποιῆσαι τοιοῦτον νόμον, καὶ τοῦτο πειράσομαι δεῖξαι διὰ βραχέων, ἔν τι τῶν πρότερον πεπραγμένων τῇ πόλει διεξελθών. λέγονται χρήμαθ' οἱ τριάκοντα δανείσασθαι παρὰ Λακεδαιμονίων ἐπὶ τοὺς ἐν Πειραιεῖ. ἐπειδὴ δ' ἡ πόλις εἰς ἐν ἦλθεν καὶ τὰ πράγματ' ἐκεῖνα κατέστη, πρέσβεις πέμψαντες οἱ Λακε-
12 δαιμόνιοι τὰ χρήματα ταῦτ' ἀπήτουν. λόγων δὲ γιγνομένων, καὶ τῶν μὲν τοὺς δανεισαμένους ἀποδοῦναι κελευόντων, τοὺς ἐξ ἄστεως, τῶν δὲ τοῦτο πρῶτον ὑπάρξαι τῆς ὁμονομίας σημεῖον ἀξιούντων, κοινῇ διαλύσαι τὰ χρήματα, φασὶ τὸν δῆμον ἐλέσθαι συνεισενεγκεῖν αὐτὸν καὶ μετασχεῖν τῆς δαπάνης, ὥστε μὴ λύσαι τῶν ὁμολογημένων μηδέν. πῶς οὖν οὐ δεινόν, ὦ ἄνδρες Ἀθηναῖοι, εἰ τότε μὲν τοῖς ἡδικοκόσιν ὑμᾶς ὑπὲρ τοῦ μὴ ψεύσασθαι τὰ χρήματ' εἰσφέρειν

ἠθελήσατε, νῦν δ' ἐξὸν ὑμῖν ἄνευ δαπάνης τὰ δίκαια ποιῆσαι τοῖς εὐεργέταις, λύσασι τὸν νόμον, ψεύδεσθαι μᾶλλον αἰρήσεσθε; ἐγὼ μὲν οὐκ ἀξιῶ.

Τὸ μὲν τοίνυν τῆς πόλεως ἡθος, ὦ ἄνδρες 13 Ἀθηναῖοι, καὶ ἐπ' ἄλλων πολλῶν καὶ ἐφ' ὧν 461 εἶπον ἴδοι τις ἂν τοιοῦτον, ἀψευδὲς καὶ χρηστόν, οὐ τὸ λυσιτελέστατον πρὸς ἀργύριον σκοποῦν, ἀλλὰ τί καὶ καλὸν πράξαι· τὸ δὲ τοῦ θέντος τὸν νόμον τὰ μὲν ἄλλ' ἔγωγ' οὐκ οἶδα, οὐδὲ λέγω φλαῦρον οὐδὲν οὐδὲ σύνοιδα, ἐκ δὲ τοῦ νόμου σκοπῶν εὐρίσκω πολὺ τούτου κεχωρισμένον. φημὶ τοίνυν ἐγὼ κάλλιον εἶναι τούτον ὑμῖν 14 ἀκολουθῆσαι περὶ τοῦ λύσαι τὸν νόμον ἢ ὑμᾶς τούτῳ περὶ τοῦ θέσθαι, καὶ λυσιτελέστερον εἶναι καὶ ὑμῖν καὶ τούτῳ τὴν πόλιν πεπεικέναι Λεπτίνην ὁμοιον αὐτῇ γενέσθαι δοκεῖν ἢ αὐτὴν ὑπὸ τούτου πεπεῖσθαι ὁμοίαν εἶναι τούτῳ. οὐδὲ γὰρ εἰ πάνυ χρηστός ἐσθ', ὥς ἐμοῦ γ' ἔνεκ' ἔστω, βελτίων ἐστὶ τῆς πόλεως τὸ ἡθος.

Νομίζω τοίνυν ὑμᾶς, ὦ ἄνδρες δικασταί, ἄμεινον 15 ἂν περὶ τοῦ παρόντος βουλευσασθαι; εἰ κακεῖνο μάθοιτε, ὅτι ὃ μόνῳ μείζους εἰσὶν αἱ παρὰ τῶν δήμων δωρεαὶ τῶν παρὰ τῶν ἄλλων πολιτειῶν διδομένων, καὶ τοῦτ' ἀφαιρεῖται νῦν τῷ νόμῳ. τῇ μὲν γὰρ χρεῖα τῇ τῶν εὐρισκομένων τὰς δωρεὰς οἱ τύραννοι καὶ οἱ τὰς ὀλιγαρχίας ἔχοντες μάλιστα δύνανται τιμᾶν· πλούσιον γάρ, ὃν ἂν βούλωνται, παραχρῆμ' ἐποίησαν· τῇ δὲ τιμῇ τὰς παρὰ τῶν δήμων δωρεὰς εὐρήσεται οὔσας βελτίους.

- 16 τό τε γὰρ μὴ μετ' αἰσχύνης ὥς κολακεύοντα λαμβάνειν, ἀλλ' ἐν ἰσηγορίᾳ δοκοῦντ' ἄξιόν τινος εἶναι τιμᾶσθαι τῶν καλῶν ἐστὶ, τό θ' ὑπὸ τῶν ὁμοίων ἐκόντων θαυμάζεσθαι τοῦ παρὰ τοῦ δεσπότου λαμβάνειν ὅτιοῦν κρεῖττον εἶναι δοκεῖ. παρὰ μὲν γὰρ ἐκείνοις μείζων ἐστὶν ὁ τοῦ μέλλοντος φόβος τῆς παρούσης χάριτος, παρὰ δ' ὑμῖν ἀδεῶς, ἂν λάβῃ τις, ἔχειν ὑπῆρχεν τὸν γοῦν 462
- 17 ἄλλον χρόνον. ὁ τοίνυν τὴν πίστιν ἀφαιρῶν τῶν δωρεῶν νόμος οὗτος, ᾧ μόνῳ κρεῖττους εἰσὶν αἱ παρ' ὑμῶν δωρεαί, τοῦτ' ἀφαιρεῖται. καίτοι τῶν ἀπασῶν ἥς ἂν τινος πολιτείας τὸ κομίζεσθαι τοὺς εὖνους τοῖς καθεστῶσιν χάριν ἐξέλῃς, οὐ μικρὰν φυλακὴν αὐτῶν ταύτην ἀφηρηκῶς ἔσει.
- 18 Τάχα τοίνυν ἴσως ἐκεῖνο λέγειν ἂν ἐπιχειρήσειε Λεπτίνης, ἀπάγων ὑμᾶς ἀπὸ τούτων, ὥς αἱ λειτουργίαι νῦν μὲν εἰς πένητας ἀνθρώπους ἔρχονται, ἐκ δὲ τοῦ νόμου τούτου λειτουργήσουσιν οἱ πλουσιώτατοι. ἐστὶ δὲ τοῦθ' οὕτως μὲν ἀκοῦσαι λόγον τιν' ἔχον· εἰ δέ τις αὐτ' ἀκριβῶς ἐξετάσειεν, ψεύδος ἂν φανείη. εἰσὶ γὰρ δήπου παρ' ἡμῖν αἱ τε τῶν μετοίκων λειτουργίαι καὶ αἱ πολιτικάι, ὧν ἐκατέρων ἐστὶ τοῖς εὖρημένοις ἡ ἀτέλεια, ἣν οὗτος ἀφαιρεῖται. τῶν γὰρ εἰς τὸν πόλεμον καὶ τὴν σωτηρίαν τῆς πόλεως εἰσφορῶν καὶ τριηραρχιῶν ὀρθῶς καὶ δικαίως οὐδεὶς ἐστ' ἀτελής ἐκ τῶν παλαιῶν νόμων, οὐδ' οὗς οὗτος ἔγραψε, τοὺς ἀφ' Ἀρμοδίου καὶ Ἀριστογείτονος.
- 19 σκεψώμεθα δὴ, τίνας ἡμῖν εἰσποιεῖ χορηγοὺς εἰς ἐκείνας τὰς λειτουργίας, καὶ πόσους, ἐὰν μὴ τούτω

προσέχωμεν, ἀφήσει. οἱ μὲν τοίνυν πλουσιώτατοι τριηραρχοῦντες αἰεὶ τῶν χορηγιῶν ἀτελεῖς ὑπάρχουσιν, οἱ δ' ἐλάττω τῶν ἱκανῶν κεκτημένοι, τὴν ἀναγκαίαν ἀτέλειαν ἔχοντες, ἔξω τοῦ τέλους εἰσὶ τούτου· οὐκοῦν τούτων μὲν οὐδετέρων οὐδεὶς διὰ τὸν νόμον ἡμῖν προσέσται χορηγός. ἀλλὰ νῆ Δί' 20 εἰς τὰς τῶν μετοίκων λειτουργίας εἰσποιεῖ πολλούς. ἀλλ' ἐὰν δεῖξῃ πέντε, ἐγὼ ληρεῖν ὁμολογῶ. 463 θήσω τοίνυν ἐγὼ μὴ τοιοῦτον εἶναι τοῦτο, ἀλλὰ καὶ τῶν μετοίκων πλείονας ἢ τοσούτους, ἐὰν ὁ νόμος τεθῇ, τοὺς λειτουργοῦντας ἔσεσθαι, καὶ τῶν πολιτῶν μηδέν' ἐκ τριηραρχίας ὑπάρξειν ἀτελῆ. σκεψώμεθα δὴ τί τοῦτο τῇ πόλει, ἐὰν ἅπαντες οὗτοι λειτουργῶσιν· φανήσεται γὰρ οὐδὲ πολλοῦ δεῖ τῆς γενησομένης ἄξιον αἰσχύνης. ὅρα δ' οὕτωςί. εἰσὶ τῶν ξένων ἀτελεῖς—δέκα 21 θήσω· καὶ μὰ τοὺς θεοὺς, ὅπερ εἶπον ἀρτίως, οὐκ οἶμαι πέντ' εἶναι. καὶ μὴν τῶν γε πολιτῶν οὐκ εἰσὶ πέντ' ἢ ἑξ. οὐκοῦν ἀμφοτέρων ἐκκαίδεκα. ποιήσωμεν αὐτοὺς εἴκοσιν, εἰ δὲ βούλεσθε, τριάκοντα. πόσοι δὴ ποτ' εἰσὶν οἱ κατ' ἐνιαυτὸν τὰς ἐγκυκλίους λειτουργίας λειτουργοῦντες, χορηγοὶ καὶ γυμνασίαρχοι καὶ ἐστιάτορες; ἐξήκοντ' ἴσως ἢ μικρῷ πλείους σύμπαντες οὗτοι. ἴν' οὖν τριά- 22 κοντ' ἄνθρωποι πλείους παρὰ πάντα τὸν χρόνον λειτουργήσωσιν ἡμῖν, τοὺς ἅπαντας ἀπίστως πρὸς ἡμᾶς αὐτοὺς διαθῶμεν; ἀλλ' ἴσμεν ἐκεῖνο δήπου, ὅτι λειτουργήσουσι μὲν, ἅνπερ ἡ πόλις ἦ, πολλοί, καὶ οὐκ ἐπιλείψουσιν, εὖ δὲ ποιεῖν ἡμᾶς οὐδεὶς ἐθελήσει, τοὺς πρότερον ποιήσαντας ἐὰν

23 ἡδίκημένους ἴδῃ. εἶεν. εἰ δὲ δὴ τὰ μάλιστ' ἐπέλειπον οἱ χορηγεῖν οἰοί τε, πρὸς Διὸς πότερον κρεῖττον ἢν εἰς συντέλειαν ἀγαγεῖν τὰς χορηγίας, ὥσπερ τὰς τριηραρχίας, ἣ τοὺς εὐεργέτας ἀφελέσθαι τὰ δοθέντα; ἐγὼ μὲν ἐκεῖν' οἶμαι. νῦν μὲν γε τὸν χρόνον, ὃν ἂν τούτων ἕκαστος λειτουργῇ, δίδωσι τὴν ἀνάπαισιν αὐτοῖς μόνον, μετὰ ταῦτα δ' οὐδὲν ἔλαττον ἕκαστος αὐτῶν ἀναλώσει· τότε δ' ἂν μικρὰς συντελείας ἀπὸ 464 τῶν ὑπαρχόντων ἐκάστῳ γιγνομένης οὐδὲν ἔπασχε δεινὸν οὐδεὶς, οὐδ' εἰ πάνυ μικρὰ κεκτημένος ἦν.

24 Οὕτω τοίνυν τινές, ὧ ἄνδρες Ἀθηναῖοι, σφόδρ' ἔχουσιν ἀλογίστως, ὥστ' ἐπιχειροῦσι λέγειν πρὸς μὲν ταῦτ' οὐδέν, ἄλλα δὲ τοιαδί, ὡς ἄρα δεινόν, εἰ ἐν κοινῷ μὲν μηδ' ὅτιοῦν ὑπάρχει τῇ πόλει, ἰδίᾳ δὲ τινες πλουτήσουσιν ἀτελείας ἐπειλημμένοι. ἔστι δὲ ταῦτ' ἀμφοτέρ' οὐχὶ δίκαιον λέγειν. εἰ μὲν γάρ τις ἔχει πολλὰ μηδὲν ὑμᾶς ἀδικῶν, οὐχὶ δεῖ δήπου τοῦτο βασκαίνειν· εἰ δ' ὑψηρημένον φήσουσιν ἢ τιν' ἄλλον οὐχ' ὃν προσήκει τρόπον, εἰσὶ νόμοι καθ' οὓς προσήκει κολλάζειν. ὅτε δὲ τοῦτο μὴ ποιούσιν, οὐδὲ τὸν

25 λόγον αὐτοῖς τοῦτον λεκτέον. καὶ μὴν περὶ τοῦ γε μὴ εἶναι χρήματα κοινὰ τῇ πόλει, ἐκεῖν' ὑμᾶς δεῖ σκοπεῖν, ὅτι οὐδὲν ἔσεσθ' εὐπορώτεροι, τὰς ἀτελείας ἂν ἀφέλησθε· οὐ γὰρ κοινωνεῖ ταῖς δημοσίαις προσόδοις καὶ περιουσίαις ταῦτα τὰναλώματ' οὐδέν. χωρὶς δὲ τούτων νυνὶ τῇ πόλει δυοῖν ἀγαθοῖν, πλούτου καὶ τοῦ πρὸς ἅπαντας

πιστεῦεσθαι, ἐστὶ τὸ τῆς πίστεως ὑπάρχον. εἰ δέ τις οἶεται δεῖν, ὅτι χρήματ' οὐκ ἔχομεν, μηδὲ δόξαν ἔχειν ἡμᾶς χρηστήν, οὐ καλῶς φρονεῖ. ἐγὼ μὲν γὰρ εὐχομαι τοῖς θεοῖς μάλιστα μὲν ἡμῖν καὶ χρήματα πολλὰ γενέσθαι, εἰ δὲ μή, τό γε πιστοῖς εἶναι καὶ βεβαίοις δοκεῖν διαμεῖναι.

Φέρε δὴ καὶ τὰς εὐπορίας, ἃς ἀναπαυομένους 26 τινὰς εὐπορήσειν οὗτοι φήσουσιν, εἰς δέον ὑμῖν γιγνομένας δείξω. ἴστε γὰρ δήπου τοῦθ', ὅτι 465 τῶν τριηραρχιῶν οὐδεὶς ἐστ' ἀτελής οὐδὲ τῶν εἰσφορῶν τῶν εἰς τὸν πόλεμον. οὐκοῦν ὁ πολλὰ κεκτημένος, οὗτος, ὅστις ἂν ᾖ, πόλλ' εἰς ταῦτα συντελεῖ· πᾶς' ἀνάγκη. καὶ μὴν ὅτι δεῖ τὴν εὐπορίαν εἰς ταῦθ' ὑπάρχειν πλείστην τῇ πόλει, πάντες ἂν ὁμολογήσειαν· παρὰ μὲν γὰρ τὰς ἐπὶ τῶν χορηγιῶν δαπάνας ἡμέρας μέρος μικρὸν ἢ χάρις τοῖς θεωμένοις ἡμῶν, παρὰ δὲ τὰς τῶν εἰς τὸν πόλεμον παρασκευῶν ἀφθονίας πάντα τὸν χρόνον ἢ σωτηρία πάσῃ τῇ πόλει. ὥσθ' ὅσον 27 ἐνθάδ' ἀφίετε, ἐκεῖ κομίζεσθε, καὶ δίδοτ' ἐν τιμῆς μέρει ταῦθ' ἂ καὶ μὴ λαβοῦσιν ἔστιν ἔχειν τοῖς τοῦ τριηραρχεῖν ἄξια κεκτημένοις. ἀλλὰ μὴν ὅτι τῶν τριηραρχιῶν οὐδεὶς ἐστ' ἀτελής, οἶμαι μὲν ὑμᾶς εἰδέναι πάντας, ὅμως δὲ καὶ τὸν νόμον ὑμῖν αὐτὸν ἀναγνώσεται. λαβὲ τὸν περὶ τῶν τριηραρχιῶν νόμον καὶ λέγε τοῦτ' αὐτό.

ΝΟΜΟΣ. Ἀτελῇ δὲ μηδένα εἶναι τριηραρχίας πλὴν τῶν ἐννέα ἀρχόντων.

Ὅραθ' ὡς σαφῶς, ὧ ἄνδρες Ἀθηναῖοι, μηδέν' 28 εἶναι τριηραρχίας ἀτελῇ διείρηκεν ὁ νόμος πλὴν

τῶν ἐννέα ἀρχόντων. οὐκοῦν οἱ μὲν ἐλάττω κεκτημένοι τοῦ τριηραρχίας ἄξι' ἔχειν ἐν ταῖς εἰσφοραῖς συντελοῦσιν εἰς τὸν πόλεμον, οἱ δ' ἐφικνούμενοι τοῦ τριηραρχεῖν εἰς ἀμφοτέρ' ὑμῖν ὑπάρξουσιν χρήσιμοι, καὶ τριηραρχεῖν καὶ εἰσφέρειν. τίν' οὖν ῥαστώνην τοῖς πολλοῖς ὁ σός, ὦ Λεπτίνη, ποιεῖ νόμος, εἰ μιᾶς ἢ δυοῖν φυλαῖν ἓνα χορηγὸν καθίστησιν, ὃς ἀνθ' ἑνὸς ἄλλου τοῦθ' ἅπαξ ποιήσας ἀπηλλάξεται; ἐγὼ μὲν οὐχ ὀρώ. τῆς δέ γ' αἰσχύνης ὅλην ἀναπίμπλησι τὴν 466 πόλιν καὶ τῆς ἀπιστίας. οὐκ οὐν ὅτε πολλῶ μείζονα βλάβῃ τῶν ὠφελειῶν ὧν ἔχει, προσήκει λελύσθαι παρὰ τοῖσδ' αὐτόν; ἔγωγ' ἂν φαίην.

- 29 "Ἐτι δ', ὦ ἄνδρες δικασταί, διὰ τὸ γεγράφθαι ἐν τῷ νόμῳ διαρρήδην αὐτοῦ "μηδένα μήτε τῶν πολιτῶν μήτε τῶν ἰσοτελῶν μήτε τῶν ξένων εἶναι ἀτελῆ," μὴ διειρησθαι δ' ὅτου ἀτελῆ, χορηγίας ἢ τίνος ἄλλου τέλους, ἀλλ' ἀπλῶς "ἀτελῆ μηδένα πλὴν τῶν ἀφ' Ἀρμοδίου καὶ Ἀριστογείτονος," καὶ ἐν μὲν τῷ "μηδένα" πάντας περιλαμβάνειν τοὺς ἄλλους, ἐν δὲ τῷ "τῶν ξένων" μὴ διορίζειν "τῶν οἰκούντων Ἀθήνησιν," ἀφαιρεῖται καὶ Λεύκωνα τὸν ἄρχοντα Βοσπόρου καὶ τοὺς παῖδας αὐτοῦ τὴν δωρεάν, ἣν ὑμεῖς ἔδοτ' 30 αὐτοῖς. ἔστι μὲν γὰρ γένει μὲν δήπου ὁ Λεύκων ξένος, τῇ δὲ παρ' ὑμῶν ποιήσει πολίτης· κατ' οὐδέτερον δ' αὐτῷ τὴν ἀτέλειαν ἔστ' ἔχειν ἐκ τούτου τοῦ νόμου. καίτοι τῶν μὲν ἄλλων εὐεργετῶν χρόνον τιν' ἕκαστος ἡμῖν χρήσιμον αὐτὸν παρέσχεν, οὗτος δ', ἂν σκοπῇτε, φανήσεται

συνεχῶς ἡμᾶς εὖ ποιῶν, καὶ ταῦθ' ὧν μάλισθ' ἡμῶν ἢ πόλις δεῖται. ἴστε γὰρ δήπου τοῦθ', ὅτι 31 πλείστῳ τῶν πάντων ἀνθρώπων ἡμεῖς ἐπείσασθαι σίτῳ χρώμεθα. πρὸς τοίνυν ἅπαντα τὸν ἐκ τῶν ἄλλων ἐμπορίων ἀφικνούμενον ὁ ἐκ τοῦ Πόντου σίτος εἰσπλέων ἐστίν. εἰκότως· οὐ γὰρ μόνον διὰ τὸ τὸν τόπον τούτον σίτον ἔχειν πλείστον τοῦτο γίγνεται, ἀλλὰ διὰ τὸ κύριον ὄντα τὸν Λεύκων' αὐτοῦ τοῖς ἄγουσιν Ἀθήναζε ἀτέλειαν δεδωκέναι, καὶ κηρύττειν πρῶτους γεμίζεσθαι τοὺς ὡς ὑμᾶς πλέοντας. ἔχων γὰρ ἐκεῖνος ἑαυτῷ καὶ τοῖς παισὶ τὴν ἀτέλειαν ἅπασι δέδωκεν ὑμῖν. 467 τοῦτο δ' ἡλίκον ἐστὶ θεωρήσατε. ἐκεῖνος πράττε- 32 ται τοὺς παρ' αὐτοῦ σίτον ἐξάγοντας τριακοστήν. αἱ τοίνυν παρ' ἐκείνου δεῦρ' ἀφικνούμεναι σίτου μυριάδες περὶ τετταράκοντ' εἰσὶν· καὶ τοῦτ' ἐκ τῆς παρὰ τοῖς σιτοφύλαξιν ἀπογραφῆς ἂν τις ἴδοι. οὐκοῦν παρὰ μὲν τὰς τριάκοντα μυριάδας μυρίους δίδωσι μεδίμνους ἡμῖν, παρὰ δὲ τὰς δέκα ὥσπερανεὶ τρισχιλίους. τοσούτου τοίνυν 33 δεῖ ταύτην ἀποστερηῆσαι τὴν δωρεάν τὴν πόλιν, ὥστε προσκατασκευάσας ἐμπόριον Θεοδοσίαν, ὃ φασιν οἱ πλείοντες οὐδ' ὅτιοῦν χεῖρον εἶναι τοῦ Βοσπόρου, κἀνταῦθ' ἔδωκε τὴν ἀτέλειαν ἡμῖν. καὶ τὰ μὲν ἄλλα σιωπῶ, πόλλ' ἂν ἔχων εἰπεῖν, ὅσ' εὐεργέτηκεν ὑμᾶς οὗτος ἀνὴρ καὶ αὐτὸς καὶ οἱ πρόγονοι· ἀλλὰ προπέρυσι σιτοδείας παρὰ πᾶσιν ἀνθρώποις γενομένης οὐ μόνον ὑμῖν ἱκανὸν σίτον ἀπέστειλεν, ἀλλὰ τοσούτον ὥστε πεντεκαίδεκ' ἀργυρίου τάλαντα, ἃ Καλλισθένης διώκῃσε, προσ-

34 περιγενέσθαι. τί οὖν οἴεσθ', ὦ ἄνδρες Ἀθηναῖοι, τοῦτον τὸν τοιοῦτον περὶ ὑμᾶς γεγενημένον, ἐὰν ἀκούσῃ νόμῳ τὴν ἀτέλειαν ὑμᾶς ἀφηρημένους αὐτὸν καὶ μὴδ' ἂν μεταδόξῃ ποτὲ ψηφισαμένους ἐξεῖναι δοῦναι; ἂρ' ἀγνοεῖθ' ὅτι ὁ αὐτὸς νόμος οὗτος ἐκείνόν τ' ἀφαιρήσεται τὴν ἀτέλειαν, κύριος ἂν γένηται, καὶ ὑμῶν τοὺς παρ' ἐκείνου 35 σιτηγοῦντας; οὐ γὰρ δήπου τοῦτό γ' ὑπέιληφεν οὐδεὶς, ὥς ἐκείνος ὑπομενεῖ ἑαυτῷ μὲν ἀκύρους εἶναι τὰς παρ' ὑμῶν δωρεάς, ὑμῖν δὲ μένειν τὰς παρ' ἑαυτῷ. οὐκοῦν πρὸς πολλοῖς οἷς ὁ νόμος βλάβειν ὑμᾶς φαίνεται, καὶ προσαφαιρεῖται τι τῶν ὑπαρχόντων ἤδη. εἴθ' ὑμεῖς ἔτι σκοπεῖτ' 468 εἰ χρὴ τοῦτον ἐξαλείψαι, καὶ οὐ πάλαι βεβούλευσθε; ἀνάγνωθι λαβὼν αὐτοῖς τὰ ψηφίσματα τὰ περὶ τοῦ Λεύκωνος.

ΨΗΦΙΣΜΑΤΑ.

36 Ὡς μὲν εἰκότως καὶ δικαίως τετύχηκε τῆς ἀτελείας παρ' ὑμῶν ὁ Λεύκων, ἀκηκόατ' ἐκ τῶν ψηφισμάτων, ὦ ἄνδρες δικασταί. τούτων δ' ἀπάντων στήλας ἀντιγράφους ἐστήσαθ' ὑμεῖς κακεῖνος, τὴν μὲν ἐν Βοσπόρῳ, τὴν δ' ἐν Πειραιεῖ, τὴν δ' ἐφ' Ἱερῷ. σκοπεῖτε δὴ πρὸς ὅσης κακίας ὑπερβολὴν ὑμᾶς ὁ νόμος προάγει, ὅς ἀπιστότερον 37 τὸν δῆμον καθίστησιν ἐνὸς ἀνδρός. μὴ γὰρ οἴεσθ' ὑμῖν ἄλλο τι τὰς στήλας ἐστάναι ταύτας ἢ τούτων πάντων ὧν ἔχετ' ἢ δεδώκατε συνθήκας, αἷς ὁ μὲν Λεύκων ἐμμένων φανείται καὶ ποιεῖν αἰεὶ τι προθυμούμενος ὑμᾶς εὖ, ὑμεῖς δ' ἐστώσας

ἀκύρους πεποιηκότες, ὃ πολὺ δεινότερον τοῦ καθ-
ελεῖν· αὐταὶ γὰρ οὕτως τοῖς βουλομένοις κατὰ
τῆς πόλεως βλασφημεῖν τεκμήριον ὥς ἀληθῆ
λέγουσιν ἐστήξουσιν. φέρ' ἐὰν δὲ δὴ πέμψας 38
ὥς ἡμᾶς ὁ Λεύκων ἐρωτᾷ, τί ἔχοντες ἐγκαλέσαι
καὶ τί μεμφόμενοι τὴν ἀτέλειαν αὐτὸν ἀφῆρησθε,
τί πρὸς θεῶν ἐροῦμεν ἢ τί γράψει ποθ' ὁ τὸ
ψηφισμ' ὑπὲρ ἡμῶν γράφων; ὅτι νῆ Δί' ἦσαν
τῶν εὐρημένων τινὲς ἀνάξιοι. ἐὰν οὖν εἴπῃ πρὸς 39
ταῦτ' ἐκείνος, “καὶ γὰρ Ἀθηναίων τινὲς ἴσως
φαῦλοι, καὶ οὐ διὰ ταῦτ' ἐγὼ τοὺς χρηστοὺς
ἀφειλόμην, ἀλλὰ τὸν δῆμον νομίζων χρηστὸν
πάντας ἔχειν ἐγὼ,” οὐ δικαιοτέρ' ἡμῶν ἐρεῖ; ἐμοὶ
469 γοῦν δοκεῖ. παρὰ πᾶσι γὰρ ἀνθρώποις μᾶλλον
ἐστὶν ἔθος διὰ τοὺς εὐεργέτας καὶ ἄλλους τινὰς
εὖ ποιεῖν τῶν μὴ χρηστῶν ἢ διὰ τοὺς φαύλους
τοὺς ὁμολογουμένως ἀξίους χάριτος τὰ δοθέντ'
ἀφαιρεῖσθαι. καὶ μὴν οὐδ' ὅπως οὐκ ἀντιδώσει 40
τῷ Λεύκωνί τις, ἂν βούληται, δύναμαι σκοπούμενος
εὐρεῖν. χρήματα μὲν γὰρ ἐστὶν αἰεὶ παρ' ὑμῖν
αὐτοῦ, κατὰ δὲ τὸν νόμον τοῦτον, ἐὰν τις ἐπ'
αὐτ' ἔλθῃ, ἢ στερήσεται τούτων ἢ λειτουργεῖν
ἀναγκασθήσεται. ἔστι δ' οὐ τὸ τῆς δαπάνης
μέγιστον ἐκείνῳ, ἀλλ' ὅτι τὴν δωρεὰν ὑμᾶς αὐτὸν
ἀφηρῆσθαι νομιεῖ.

Οὐ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, μὴ Λεύκων 41
ἀδικηθῇ μόνον δεῖ σκοπεῖν, ὃ φιλοτιμίας εἶνεχ'
ἢ περὶ τῆς δωρεᾶς σπουδὴ γένοιτ' ἂν, οὐ χρείας,
ἀλλὰ καὶ εἴ τις ἄλλος εὖ μὲν ἐποίησεν ὑμᾶς εὖ
πράττων, εἰς δέον δὲ νῦν γέγονεν αὐτῷ τὸ παρ'

ὑμῶν λαβεῖν τότε τὴν ἀτέλειαν. τίς οὖν οὗτός ἐστιν; Ἐπικέρδης ὁ Κυρηναῖος, ὅς, εἴπερ τις ἄλλος τῶν εἰληφότων, δικαίως ἡξιώθη ταύτης τῆς τιμῆς, οὐ τῷ μεγάλα ἢ θαυμάσια ἡλίκα δοῦναι, ἀλλὰ τῷ παρὰ τοιοῦτον καιρόν, ἐν ᾧ καὶ τῶν εὖ πεπονθότων ἔργον ἦν εὑρεῖν ἐθέλοντά τινα ὧν
 42 εὐηργέτητο μεμνήσθαι. οὗτος γὰρ ἀνὴρ, ὡς τὸ ψήφισμα τοῦτο δηλοῖ τὸ τότε αὐτῷ γραφέν, τοῖς ἀλούσιν τότε ἐν Σικελίᾳ τῶν πολιτῶν ἐν τοιαύτῃ συμφορᾷ καθεστηκόσιν ἔδωκε μνᾶς ἑκατὸν καὶ τοῦ μὴ τῷ λιμῷ πάντας αὐτοὺς ἀποθανεῖν αἰτιώτατος ἐγένετο. καὶ μετὰ ταῦτα δοθείσης ἀτελείας αὐτῷ διὰ ταῦτα παρ' ὑμῶν, ὁρῶν ἐν τῷ πολέμῳ πρὸ τῶν τριάκοντα μικρὸν σπανίζοντα τὸν δῆμον χρημάτων, τάλαντον ἔδωκεν αὐτὸς
 43 ἐπαγγειλάμενος. σκέψασθε δὴ πρὸς Διὸς καὶ 470 θεῶν, ἄνδρες Ἀθηναῖοι, πῶς ἂν ἄνθρωπος μᾶλλον φανερὸς γένοιτ' εὖνους ὧν ὑμῖν, ἢ πῶς ἦττον ἄξιος ἀδικηθῆναι, ἢ πρῶτον μὲν εἰ παρὼν τῷ τῆς πόλεως ἀτυχήματι μᾶλλον ἔλοιτο τοὺς ἀτυχοῦντας καὶ τὴν παρὰ τούτων χάριν, ἥτις ποτ' ἔμελλεν ἔσεσθαι, ἢ τοὺς ἐν ἐκείνῳ τῷ χρόνῳ κεκρατηκότας καὶ παρ' οἷς ἦν, δεύτερον δ', ἐτέραν χρεῖαν ἰδὼν εἰ φαίνοιτο διδούς καὶ μὴ ὅπως ἰδίᾳ τὰ ὄντα σώσει προνοούμενος, ἀλλ' ὅπως τῶν ὑμετέρων
 44 μηδὲν ἐνδεῶς ἔξει τὸ καθ' αὐτόν. τοῦτον μέντοι τὸν τῷ μὲν ἔργῳ παρὰ τοὺς μεγίστους καιροὺς οὕτως κοινὰ τὰ ὄντα τῷ δήμῳ κεκτημένον, τῷ δὲ ῥήματι καὶ τῇ τιμῇ τὴν ἀτέλειαν ἔχοντ' οὐχὶ τὴν ἀτέλειαν ἀφαιρήσεσθε (οὐδὲ γὰρ οὔση χρώμενος

φαίνεται), ἀλλὰ τὸ πιστεύειν ὑμῖν, οὐ τί γένοιτ' ἂν αἰσχίον; τὸ τοίνυν ψήφισμ' ὑμῖν αὐτ' ἀναγνώσεται τὸ τότε ψηφισθὲν τῷ ἀνδρί. καὶ θεωρεῖτ', ὧ ἄνδρες Ἀθηναῖοι, ὅσα ψηφίσματ' ἄκυρα ποιεῖ ὁ νόμος, καὶ ὅσους ἀνθρώπους ἀδικεῖ καὶ ἐν ὁποίοις καιροῖς χρησίμους ὑμῖν παρασχόντας ἑαυτούς· εὐρήσετε γὰρ τούτους, οὓς ἥκιστα προσῆκεν, ἀδικοῦντα. λέγε.

ΨΗΦΙΣΜΑ.

Τὰς μὲν εὐεργεσίας, ἀνθ' ὧν εὔρετο τὴν ἀτέλειαν 45 ὁ Ἐπικέρδης, ἀκηκόατ' ἐκ τῶν ψηφισμάτων, ὧ ἄνδρες δικασταί. σκοπεῖτε δὲ μὴ τοῦτ', εἰ μνᾶς ἑκατὸν καὶ πάλιν τάλαντον ἔδωκεν (οὐδὲ γὰρ τοὺς λαβόντας ἔγωγ' ἡγούμαι τὸ πλήθος τῶν χρημάτων θαυμάσαι), ἀλλὰ τὴν προθυμίαν καὶ
 471 τὸ αὐτὸν ἐπαγγειλάμενον ποιεῖν καὶ τοὺς καιροὺς ἐν οἷς. πάντες μὲν γὰρ εἰσιν ἴσως ἄξιοι χάριν 46 ἀνταπολαμβάνειν οἱ προϋπάρχοντες τῷ ποιεῖν εὖ, μάλιστα δ' οἱ παρὰ τὰς χρεῖας, ὧν εἰς οὗτος ἀνὴρ ὧν φαίνεται. εἴτ' οὐκ αἰσχυρόμεθ', ὧ ἄνδρες Ἀθηναῖοι, τοὺς τοῦ τοιοῦτου παῖδας εἰ μηδεμίαν ποιησάμενοι τούτων μηδενὸς μνείαν ἀφηρημένοι φανούμεθα τὴν δωρεάν, μηδὲν ἔχοντες ἐγκαλέσαι; οὐ γὰρ εἰ ἕτεροι μὲν ἦσαν οἱ τότε σωθέντες ὑπ' 47 αὐτοῦ καὶ δόντες τὴν ἀτέλειαν, ἕτεροι δ' ὑμεῖς οἱ νῦν ἀφαιρούμενοι, ἀπολύει τοῦτο τὴν αἰσχύνην, ἀλλ' αὐτὸ δὴ τοῦτο καὶ τὸ δεινὸν ἐστίν. εἰ γὰρ οἱ μὲν εἰδότες καὶ παθόντες ἄξια τούτων ἐνόμιζον εὖ πάσχειν, ἡμεῖς δ' οἱ λόγῳ ταῦτ' ἀκούοντες

ὥς ἀναξίων ἀφαιρησόμεθα, πῶς οὐχ ὑπέρδεινον
 48 ποιήσομεν; αὐτὸς τοίνυν ἐστὶ μοι λόγος οὗτος
 καὶ περὶ τῶν τοὺς τετρακοσίους καταλυσάντων
 καὶ περὶ τῶν ὅτ' ἔφευγεν ὁ δῆμος χρησίμους
 αὐτοὺς παρασχόντων· πάντας γὰρ αὐτοὺς ἡγοῦμαι
 δεινότατ' ἂν παθεῖν, εἴ τι τῶν τότε ψηφισθέντων
 αὐτοῖς λυθείη.

49 Εἰ τοίνυν τις ὑμῶν ἐκείνο πέπεισται, πολὺ τοῦ
 δεηθῆναί τινος τοιούτου νῦν ἀπέχειν τὴν πόλιν,
 ταῦτα μὲν εὐχέσθω τοῖς θεοῖς, καὶ γὰρ συνεύχομαι,
 λογιζέσθω δὲ πρῶτον μὲν ὅτι περὶ νόμου μέλλει
 φέρειν τὴν ψήφον, ᾧ μὴ λυθέντι δεήσει χρῆσθαι,
 δεύτερον δ' ὅτι βλάπτουσιν οἱ πονηροὶ νόμοι καὶ
 τὰς ἀσφαλῶς οἰκεῖν οἰομένας πόλεις. οὐ γὰρ ἂν
 μετέπιπτε τὰ πράγματ' ἐπ' ἀμφοτέρ', εἰ μὴ τοὺς
 μὲν ἐν κινδύνῳ καθεστηκότας καὶ πράξεις χρησταὶ
 καὶ νόμοι καὶ ἄνδρες χρηστοὶ καὶ πάντ' ἐξητασμέν'
 ἐπὶ τὸ βέλτιον προῆγε, τοὺς δ' ἐν ἀπάσῃ καθεσ-
 τάναι δοκοῦντας εὐδαιμονία πάντα ταῦτ' ἀμελούμεν' 472

50 ὑπέρρει κατὰ μικρόν. τῶν γὰρ ἀνθρώπων οἱ
 πλείστοι κτῶνται μὲν τὰγαθὰ τῷ καλῶς βουλευ-
 εσθαι καὶ μηδενὸς καταφρονεῖν, φυλάττειν δ'
 οὐκ ἐθέλουσι τοῖς αὐτοῖς τούτοις. ὁ μὴ πάθητε
 νῦν ὑμεῖς, μηδ' οἴεσθε νόμον τοιούτον θέσθαι δεῖν,
 ὃς καλῶς τε πράττουσαν τὴν πόλιν ἡμῶν πονηρᾶς
 δόξης ἀναπλήσει, ἐάν τέ τι συμβῇ ποτε, ἔρημον
 τῶν ἐθελησόντων ἀγαθόν τι ποιεῖν καταστήσει.

51 Οὐ τοίνυν μόνον, ὦ ἄνδρες Ἀθηναῖοι, τοὺς
 ἰδίᾳ γνόντας εὖ ποιεῖν ὑμᾶς καὶ παρασχόντας
 χρησίμους αὐτοὺς ἐπὶ τηλικούτων καὶ τοιούτων

καιρῶν, οἷων μικρῷ πρότερον Φορμίων διεξελέλυθε
 καὶ γὰρ νῦν εἶρηκα, ἄξιόν ἐστιν εὐλαβηθῆναι
 ἀδικῆσαι, ἀλλὰ καὶ πολλοὺς ἄλλους, οἱ πόλεις
 ὅλας, τὰς ἐαυτῶν πατρίδας, συμμάχους ὑμῖν ἐπὶ
 τοῦ πρὸς Λακεδαιμονίους πολέμου παρέσχον, καὶ
 λέγοντες ἂ συμφέροι τῇ πόλει τῇ ὑμετέρα καὶ
 πράττοντες· ὦν ἔνιοι διὰ τὴν πρὸς ὑμᾶς εὐνοίαν
 στέρονται τῆς πατρίδος. ὦν ἐπέρχεται μοι 52
 πρῶτους ἐξετάσαι τοὺς ἐκ Κορίνθου φυγόντας.
 ἀναγκάζομαι δὲ λέγειν πρὸς ὑμᾶς ταῦθ' ἂ παρ'
 ὑμῶν τῶν πρεσβυτέρων αὐτὸς ἀκήκοα. τὰ μὲν
 οὖν ἄλλ' ὅσα χρησίμους ἡμῖν ἐαυτοὺς ἐκείνοι
 παρέσχον ἐάσω· ἀλλ' ὅθ' ἡ μεγάλη μάχη πρὸς
 Λακεδαιμονίους ἐγένετο, ἢ ἐν Κορίνθῳ, τῶν ἐν
 τῇ πόλει βουλευσαμένων μετὰ τὴν μάχην μὴ
 δέχεσθαι τῷ τείχει τοὺς στρατιώτας, ἀλλὰ πρὸς
 Λακεδαιμονίους ἐπικηρυκεύεσθαι, ὀρώντες ἡτυ- 53
 χηκυῖαν τὴν πόλιν καὶ τῆς παρόδου κρατοῦντας
 473 Λακεδαιμονίους, οὐχὶ προὔδωκαν οὐδ' ἐβουλεύσαντ'
 ἰδίᾳ περὶ τῆς αὐτῶν σωτηρίας, ἀλλὰ πλησίον
 ὄντων μεθ' ὅπλων ἀπάντων Πελοποννησίων
 ἀνέωξαν τὰς πύλας ὑμῖν βία τῶν πολλῶν, καὶ
 μᾶλλον εἴλοντο μεθ' ὑμῶν τῶν τότε στρατευ-
 σαμένων, εἴ τι δέοι, πάσχειν ἢ χωρὶς ὑμῶν ἀκιν-
 δύνως σεσῶσθαι, καὶ εἰσέφρουν τὸ στράτευμα, καὶ
 διέσωσαν καὶ ὑμᾶς καὶ τοὺς συμμάχους. ἐπειδὴ 54
 δὲ πρὸς Λακεδαιμονίους εἰρήνη μετὰ ταῦτ' ἐγένετο,
 ἢ ἐπ' Ἀνταλκίδου, ἀντὶ τῶν ἔργων τούτων ὑπὸ
 Λακεδαιμονίων ἐξέπεσον. ὑποδεξάμενοι δ' ὑμεῖς
 αὐτοὺς ἐποιήσατ' ἔργον ἀνθρώπων καλῶν καγαθῶν

ἐψηφίσασθε γὰρ αὐτοῖς ἅπανθ' ὧν ἐδέοντο. εἴτα ταῦτα νῦν εἰ χρή κύρι' εἶναι σκοποῦμεν; ἀλλ' ὁ λόγος πρῶτον αἰσχροῦς τοῖς σκοπουμένοις, εἴ τις ἀκούσειεν, ὥς Ἀθηναῖοι σκοποῦσιν, εἰ χρή τοὺς εὐεργέτας εἶναι τὰ δοθέντ' ἔχειν· πάλαι γὰρ ἐσκέφθαι ταῦτα καὶ ἐγνώσθαι προσήκει. ἀνάγ-
νωθι καὶ τοῦτο τὸ ψήφισμ' αὐτοῖς.

ΨΗΦΙΣΜΑ.

- 55 Ἄ μὲν ἐψηφίσασθε τοῖς φεύγουσι δι' ὑμᾶς Κορινθίων, ταῦτ' ἐστίν, ὧ ἄνδρες δικασταί. ὄρα δ', εἴ τις ἐκείνους τοὺς καιροὺς ἰδὼν, ἢ παρὼν ἢ τινος εἰδότος διεξιόντος ἀκούσας, ἀκούσαι τοῦ νόμου τούτου τὰς τότε δωρεὰς δοθείσας ἀφαιρου-
μένου, ὅσῃν ἂν κακίαν τῶν θεμένων τὸν νόμον καταγνοίη, οἷ παρὰ μὲν τὰς χρείας οὕτω φιλάν-
θρωποι καὶ πάντα ποιοῦντες, ἐπειδὴ δ' ἐπράξαμεν πάνθ' ὅσ' ἂν εὐξαίμεθ', οὕτως ἀχάριστοι καὶ
κακοί, ὥστε τοὺς τ' ἔχοντας ἀφηγήμεθα καὶ τὸ λοιπὸν μηδενὶ δοῦναι ταῦτ' ἐξεῖναι νόμον τεθεί-
56 καμεν. νῆ Δί' ἀνάξιοι γάρ τινες τῶν εὐρημένων 474
ταῦτ' ἦσαν· τουτὶ γὰρ παρὰ πάντ' ἔσται τὸν λόγον αὐτοῖς. ἔπειτ' ἐκεῖν' ἀγνοεῖν φήσομεν, ὅτι τὴν ἀξίαν, ὅταν διδῶμεν, δεῖ σκοπεῖν, οὐ μετὰ ταῦθ' ὕστερον χρόνῳ παμπληθεῖ. τὸ μὲν γὰρ ἐξ ἀρχῆς τι μὴ δοῦναι γνώμη χρησαμένων ἔργον ἀνθρώπων ἐστί, τὸ δὲ τοὺς ἔχοντας ἀφαιρεῖσθαι φθονούντων· τοῦτο δ' οὐ δεῖ δοκεῖν ὑμᾶς πεπον-
57 θέναι. καὶ μὴν οὐδ' ἐκεῖν' ὀκνήσω περὶ τῆς ἀξίας αὐτῆς πρὸς ὑμᾶς εἰπεῖν. ἐγὼ γὰρ οὐ τὸν

αὐτὸν τρόπον νομίζω πόλει τὸν ἄξιον ἐξεταστέον εἶναι καὶ ἰδιώτῃ· οὐδὲ γὰρ περὶ τῶν αὐτῶν ἢ σκέψις. ἰδίᾳ μὲν γὰρ ἕκαστος ἡμῶν σκοπεῖ, τίς ἄξιός ἐστιν ἐκάστου κηδεστής ἢ τῶν τοιούτων τι γύγνεσθαι, ταῦτα δὲ καὶ νόμοις τισὶ καὶ δόξαις διώριστα· κοινῇ δ' ἢ πόλις καὶ ὁ δῆμος, ὅστις ἂν αὐτὸν εὖ ποιῇ καὶ σώζῃ, τοῦτο δ' οὐ γένει καὶ δόξῃ ἴδοι τις ἄν, ἀλλ' ἔργῳ. ὅταν μὲν οὖν εὖ πάσχειν δέῃ, τὸν βουλόμενον εὖ ποιεῖν ἡμᾶς ἐάσομεν, ἐπειδὰν δὲ πάθωμεν, τότε τὴν ἀξίαν τοῦ ποιήσαντος σκεψόμεθα; οὐκ ἄρ' ὀρθῶς βουλευ-
σόμεθα.

- Ἄλλὰ νῆ Δί' οὗτοι μόνοι τοῦτο πείσονται, καὶ 58
περὶ τούτων μόνων ποιοῦμαι λόγον τοσοῦτον. πολλοῦ γε καὶ δέω. ἀλλὰ πάντας μὲν οὐδ' ἂν ἐγχειρήσαιμ' ἐξετάζειν, ὅσοι πεποιηκότες ὑμᾶς εὖ διὰ τὸν νόμον, εἰ μὴ λυθήσεται, τὰ δοθέντ' ἀφαιρεθήσονται· ἐν δ' ἢ δύο δείξας ἔτι ψηφίσματ' ἀπαλλάττομαι τοῦ περὶ τούτων λέγειν. τοῦτο 59
μὲν τοίνυν Θασίους τοὺς μετ' Ἐκφάντου πῶς οὐκ ἀδίκησετε, ἐὰν ἀφαιρήσθε τὴν ἀτέλειαν, οἷ παραδόντες ὑμῖν Θάσον καὶ τὴν Λακεδαιμονίων φρουρὰν μεθ' ὅπλων ἐκβαλόντες καὶ Θρασύβουλον
475 αὐτῶν πατρίδ' αἵτιοι τοῦ γενέσθαι σύμμαχον τὸν περὶ Θράκην τόπον ὑμῖν ἐγένοντο; τοῦτο δ' 60
Ἀρχέβιον καὶ Ἡρακλείδην, οἷ Βυζάντιον παρα-
δόντες Θρασυβούλῳ κυρίου ὑμᾶς ἐποίησαν τοῦ Ἑλλησπόντου, ὥστε τὴν δεκάτην ἀποδόσθαι καὶ χρημάτων εὐπορήσαντας Λακεδαιμονίους ἀναγ-

κάσαι τοιαύτην, οἴαν ὑμῖν ἐδόκει, ποιήσασθαι
 τὴν εἰρήνην; ὦν, ὦ ἄνδρες Ἀθηναῖοι, μετὰ ταῦτ'
 ἐκπεσόντων ἐψηφίσασθ' ἅπερ οἶμαι φεύγουσιν
 εὐεργέταις δι' ὑμᾶς προσήκε, προξενίαν, εὐερ-
 γεσίαν, ἀτέλειαν ἀπάντων. εἴτα τοὺς δι' ὑμᾶς
 φεύγοντας καὶ δικαίως τι παρ' ὑμῶν εὐρομένους
 ἐάσωμεν ἀφαιρεθῆναι ταῦτα, μηδὲν ἔχοντες ἐγκα-
 61 λέσαι; ἀλλ' αἰσχροὺν ἂν εἴη. μάθοιτε δὲ τοῦτο
 μάλιστ' ἂν, ἐκείνως εἰ λογίσαισθε πρὸς ὑμᾶς
 αὐτούς. εἴ τινες νυνὶ τῶν ἐχόντων Πύδναν ἢ
 Ποτίδαιαν ἢ τι τῶν ἄλλων χωρίων, ἃ Φιλίππῳ
 μὲν ἐστὶν ὑπήκοα, ὑμῖν δ' ἐχθρά, τὸν αὐτὸν
 τρόπον ὅνπερ ἡ Θάσος ἦν τότε καὶ τὸ Βυζάντιον
 Λακεδαιμονίοις μὲν οἰκεῖα, ὑμῖν δ' ἀλλότρια,
 παραδώσειν ταῦτ' ἐπαγγείλαιντο, ἂν αὐτοῖς τὰς
 αὐτὰς δώτε δωρεὰς ἅσπερ Ἐκφάντῳ τῷ Θασίῳ
 62 καὶ Ἀρχεβίῳ τῷ Βυζαντίῳ, καὶ τινες τούτων
 ἀντιλέγοιεν αὐτοῖς ταῦτα λέγοντες, ὡς δεινὸν εἶ
 τινες μόνοι τῶν ἄλλων μετοίκων μὴ χορηγοῖεν,
 πῶς ποτ' ἂν ἔχοιτε πρὸς τοὺς ταῦτα λέγοντας;
 ἢ δῆλον ὅτι φωνὴν οὐκ ἂν ἀνάσχοισθ' ὡς συκο-
 φαντούντων; οὐκοῦν αἰσχροὺν, εἰ μέλλοντες μὲν
 εὐ πάσχειν συκοφάντην ἂν τὸν ταῦτα λέγονθ'
 ἡγοῖσθε, ἐπὶ τῷ δ' ἀφελέσθαι τὰς τῶν προτέρων
 εὐεργετῶν δωρεὰς ταῦτα λεγόντων ἀκούσεσθε.
 63 φέρε δὴ καὶ ἐξετάσωμεν. οἱ προδόντες τὴν 476
 Πύδναν καὶ τὰλλα χωρία τῷ Φιλίππῳ τῷ ποτ'
 ἐπαρθέντες ἡμᾶς ἡδίκουν; ἢ πᾶσι πρόδηλον
 τοῦθ', ὅτι ταῖς παρ' ἐκείνου δωρεαῖς, ἃς διὰ ταῦτ'
 ἔσεσθαι σφίσιν ἡγοῦντο; πότερον οὖν μᾶλλον

ἔδει σε, ὦ Λεπτίνη, τοὺς ἐχθρούς, εἰ δύνασαι,
 πείσαι τοὺς ἐπὶ τοῖς πρὸς ἡμᾶς ἀδικήμασι
 γιγνομένους ἐκείνων εὐεργέτας μὴ τιμᾶν, ἢ θεῖναι
 νόμον ἡμῖν, ὃς τῶν τοῖς ἡμετέροις εὐεργέταις
 ὑπαρχουσῶν δωρεῶν ἀφαιρεῖται τι; ἐγὼ μὲν
 ἐκεῖν' οἶμαι. ἀλλ' ἵνα μὴ πόρρω τοῦ παρόντος
 γένωμαι, λαβὲ τὰ ψηφίσμαθ' ἃ τοῖς Θασίοις καὶ
 Βυζαντίοις ἐγράφη. λέγε.

ΨΗΦΙΣΜΑΤΑ.

Ἦκούσατε μὲν τῶν ψηφισμάτων, ὦ ἄνδρες 64
 δικασταί, τούτων δ' ἴσως ἔνιοι τῶν ἀνδρῶν οὐκέτ'
 εἰσίν. ἀλλὰ τὰ ἔργα τὰ πραχθέντ' ἐστὶν,
 ἐπειδήπερ ἅπαξ ἐπράχθη. προσήκει τοίνυν τὰς
 στήλας ταύτας κυρίας εἶναι τὸν πάντα χρόνον, ἵν'
 ἕως μὲν ἂν τινες ζῶσιν, μηδὲν ὑφ' ὑμῶν ἀδι-
 κῶνται, ἐπειδὰν δὲ τελευτήσωσιν, ἐκείναι τοῦ τῆς
 πόλεως ἡθους μνημεῖον ᾧσιν, καὶ παραδείγμαθ'
 ἐστῶσι τοῖς βουλομένοις τι ποιεῖν ὑμᾶς ἀγαθόν,
 ὅσους εὐ ποιήσαντας ἢ πόλις ἀντ' εὐ πεποίηκεν.
 καὶ μὴν μὴδ' ἐκεῖν' ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, 65
 λανθανέτω, ὅτι τῶν αἰσχίστων ἐστὶν πάντας
 ἀνθρώπους ἰδεῖν καὶ ἀκοῦσαι τὰς μὲν συμφοράς,
 αἷς δι' ὑμᾶς ἐχρήσανθ' οἱ ἄνδρες οὗτοι, πάντα
 τὸν χρόνον κυρίας αὐτοῖς γεγενημένας, τὰς δὲ
 δωρεάς, ἃς ἀντὶ τούτων ἔλαβον παρ' ὑμῶν, καὶ
 δὴ λελυμένας. πολὺ γὰρ μᾶλλον ἡρμοττεν τὰ 66
 δοθέντ' ἐῶντας τῶν ἀτυχημάτων ἀφαιρεῖν ἢ
 477 τούτων μενόντων τὰς δωρεὰς ἀφαιρεῖσθαι. φέρε
 γὰρ πρὸς Διός, τίς ἐστὶν ὅστις εὐ ποιεῖν ὑμᾶς

βουλήσεται μέλλων, ἂν μὲν ἀποτύχη, παραχρήμα δίκην δώσειν τοῖς ἐχθροῖς, ἂν δὲ κατορθώσῃ, τὰς χάριτας παρ' ὑμῶν ἀπίστους ἔξειν ;

67 Πάνυ τοίνυν ἀχθοίμην ἄν, ὦ ἄνδρες δικασταί, εἰ τοῦτο μόνον δόξαιμι δίκαιον κατηγορεῖν τοῦ νόμου, ὅτι πολλοὺς ξένους εὐεργέτας ἀφαιρεῖται τὴν ἀτέλειαν, τῶν δὲ πολιτῶν μηδέν' ἄξιον δοκοῖν ἔχειν δεῖξαι τῶν εὐρημένων ταύτην τὴν τιμήν. καὶ γὰρ τᾶλλ' ἀγάθ' εὐξαίμην ἂν ἔγωγε παρ' ἡμῖν εἶναι πλείστα, καὶ ἄνδρας ἀρίστους καὶ πλείστους εὐεργέτας τῆς πόλεως πολίτας εἶναι.

68 πρῶτον μὲν τοίνυν Κόνωνα σκοπεῖτ', εἰ ἄρ' ἄξιον καταμεμψαμένους ἢ τὸν ἄνδρα ἢ τὰ πεπραγμένα ἄκυρόν τι ποιῆσαι τῶν ἐκείνῳ δοθέντων. οὗτος γὰρ, ὥς ὑμῶν τινων ἔστιν ἀκούσαι τῶν κατὰ τὴν αὐτὴν ἡλικίαν ὄντων, μετὰ τὴν τοῦ δήμου κάθοδον τὴν ἐκ Πειραιῶς ἀσθενοῦς ἡμῶν τῆς πόλεως οὔσης καὶ ναῦν οὐδεμίαν κεκτημένης, στρατηγῶν βασιλεῖ παρ' ὑμῶν οὐδ' ἡντινοῦν ἀφορμὴν λαβὼν κατεναυμάχησε Λακεδαιμονίους, καὶ πρότερον τοῖς ἄλλοις ἐπιτάττοντας εἵθισεν ἀκούειν ὑμῶν, καὶ τοὺς ἄρμοστὰς ἐξήλασεν ἐκ τῶν νήσων, καὶ μετὰ ταῦτα δεῦρ' ἔλθων ἀνέστησε τὰ τείχη, καὶ πρῶτος πάλιν περὶ τῆς ἡγεμονίας ἐποίησε τῇ

69 πόλει τὸν λόγον πρὸς Λακεδαιμονίους εἶναι. καὶ γὰρ τοι μόνῳ τῶν πάντων αὐτῷ τοῦτ' ἐν τῇ στήλῃ γέγραπται· “ἐπειδὴ Κόνων” φησὶν “ἡλευθέρωσε τοὺς Ἀθηναίων συμμάχους.” ἔστι δὲ τοῦτο τὸ γράμμα, ὦ ἄνδρες δικασταί, ἐκείνῳ μὲν φιλοτιμία πρὸς ὑμᾶς αὐτούς, ὑμῖν δὲ πρὸς πάντας τοὺς

478 Ἕλληνας· ὅτου γὰρ ἂν τις παρ' ἡμῶν ἀγαθοῦ τοῖς ἄλλοις αἴτιος γένηται, τούτου τὴν δόξαν τὸ τῆς πόλεως ὄνομα καρποῦται. διόπερ οὐ μόνον 70 αὐτῷ τὴν ἀτέλειαν ἔδωκαν οἱ τότε, ἀλλὰ καὶ χαλκὴν εἰκόνα ὥσπερ Ἀρμοδίου καὶ Ἀριστογέι-
τονος ἔστησαν πρώτου· ἡγοῦντο γὰρ οὐ μικρὰν τυραννίδα καὶ τοῦτον τὴν Λακεδαιμονίων ἀρχὴν καταλύσαντα πεπαυκέναι. ἵν' οὖν μᾶλλον οἷς λέγω προσέχητε, τὰ ψηφίσμαθ' ὑμῖν αὐτ' ἀναγ-
νώσεται τὰ τότε ψηφισθέντα τῷ Κόνωνι. λέγε.

ΨΗΦΙΣΜΑΤΑ.

Οὐ τοίνυν ὑφ' ὑμῶν μόνον ὁ Κόνων, ὦ ἄνδρες 71 Ἀθηναῖοι, τότ' ἐτιμήθη πράξας ἃ διεξῆλθον ἐγώ, ἀλλὰ καὶ ὑπ' ἄλλων πολλῶν, οἱ δικαίως ὦν εὐηργέτηντο χάριν ᾧοντο δεῖν ἀποδιδόναι. οὐκοῦν αἰσχρόν, ὦ ἄνδρες Ἀθηναῖοι, εἰ αἱ μὲν παρὰ τοῖς ἄλλοις δωρεαὶ βέβαιοι μένουσιν αὐτῷ, τῆς δὲ παρ' ὑμῶν μόνης τοῦτ' ἀφαιρεθήσεται. καὶ 72 μὴν οὐδ' ἐκεῖνο καλόν, ζῶντα μὲν αὐτὸν οὕτω τιμᾶν, ὥστε τοσούτων ὅσων ἀκηκόατ' ἀξιοῦν, ἐπειδὴ δὲ τετελεύτηκεν, μηδεμίαν ποιησασμένους τούτων μνεῖαν ἀφελέσθαι τι τῶν δοθέντων τότε. πολλὰ μὲν γάρ ἐστιν, ὦ ἄνδρες Ἀθηναῖοι, τῶν ὑπ' ἐκείνου πραχθέντων ἄξι' ἐπαίνου, δι' ἃ πάντα προσήκει μὴ λύειν τὰς ἐπὶ τούτοις δοθείσας δωρεάς, κάλλιστον δὲ πάντων ἢ τῶν τειχῶν ἀνάστασις. γνοίη δ' ἂν τις, εἰ παραθείη πῶς 73 Θεμιστοκλῆς, ὁ τῶν καθ' ἑαυτὸν ἀπάντων ἀνδρῶν ἐνδοξότατος, ταῦτό τοῦτ' ἐποίησεν. λέγεται

τοίνυν ἐκείνος τειχίζειν εἰπὼν τοῖς πολίταις, κἂν ἀφικνῆταί τις ἐκ Λακεδαιμόνων, κατέχειν κελεύσας, οἷχεσθαι πρεσβέων αὐτὸς ὡς τοὺς Λακεδαι- 479 μονίους, λόγων δὲ γιγνομένων ἐκεῖ, καὶ τινων ἀπαγγελλόντων ὡς Ἀθηναῖοι τειχίζουσιν, ἀρνεῖσθαι καὶ πρέσβεις πέμπειν σκεψομένους κελεύειν, ἐπειδὴ δ' οὐχ ἦκον οὗτοι, πέμπειν ἑτέρους παραινεῖν. καὶ πάντες ἴσως ἀκηκόαθ' ὃν τρόπον 74 ἔξαπατῆσαι λέγεται. φημὶ τοίνυν ἐγὼ (καὶ πρὸς Διός, ἄνδρες Ἀθηναῖοι, μηδεὶς φθόνῳ τὸ μέλλον ἀκούσῃ, ἀλλ' ἂν ἀληθὲς ἢ σκοπεῖτω) ὅσῳ τὸ φανερώς τοῦ λάθρα κρεῖττον καὶ τὸ νικῶντας τοῦ παρακρουσαμένους πράττειν ὅτιοῦν ἐντιμότερον, τοσούτῳ κάλλιον Κόνωνα τὰ τεῖχη στῆσαι Θεμιστοκλέους· ὁ μὲν γὰρ λαθὼν, ὁ δὲ νικήσας τοὺς κωλύσοντας αὐτ' ἐποίησεν. οὐ τοίνυν ἄξιον τὸν τοιοῦτον ὑφ' ὑμῶν ἀδικηθῆναι, οὐδ' ἔλαττον σχεῖν τῶν ῥητόρων τῶν διδαζόντων ὡς ἀφελέσθαι τι χρὴ τῶν ἐκείνῳ δοθέντων.

75 Εἶεν. ἀλλὰ νῆ Δία τὸν παῖδα τοῦ Χαβρίου περιίδωμεν ἀφαιρεθέντα τὴν ἀτέλειαν, ἣν ὁ πατήρ αὐτῷ δικαίως παρ' ὑμῶν λαβὼν κατέλιπεν. ἀλλ' οὐδέν' ἀνθρώπων εὖ φρονούντ' οἶμαι ταῦτ' ἂν φῆσαι καλῶς ἔχειν. ἴστε μὲν οὖν ἴσως καὶ ἄνευ τοῦ παρ' ἐμοῦ λόγου, ὅτι σπουδαῖος Χαβρίας ἦν ἀνὴρ, οὐ μὴν κωλύει γ' οὐδὲν κάμει διὰ βραχέων 76 ἐπιμνησθῆναι τῶν πεπραγμένων αὐτῷ. ὃν μὲν οὖν τρόπον ὑμᾶς ἔχων πρὸς ἅπαντας Πελοποννησίους παρετάξατ' ἐν Θήβαις, καὶ ὡς Γοργώπαν ἀπέκτεινεν ἐν Αἰγίνῃ, καὶ ὅσ' ἐν Κύπρῳ τρόπαι'

ἔστησεν καὶ μετὰ ταῦτ' ἐν Αἰγύπτῳ, καὶ ὅτι πᾶσαν ἐπελθὼν ὀλίγου δέω λέγειν χώραν οὐδαμοῦ 480 τὸ τῆς πόλεως ὄνομ' οὐδ' αὐτὸν κατήσχυεν, οὔτε πᾶν ῥάδιον κατὰ τὴν ἀξίαν εἰπεῖν, πολλή τ' αἰσχύνῃ λέγοντος ἐμοῦ ταῦτ' ἐλάττω φανῆναι τῆς ἐν ἐκάστῳ νῦν περὶ αὐτοῦ δόξης ὑπαρχούσης· ἃ δ' οὐδαμῶς ἂν εἰπὼν οἶμαι μικρὰ ποιῆσαι, ταῦθ' ὑπομνήσαι πειράσομαι. ἐνίκησεν μὲν τοίνυν 77 Λακεδαιμονίους ναυμαχία καὶ πεντήκοντα μιᾶς δεούσας ἔλαβεν αἰχμαλώτους τριήρεις, εἴλε δὲ τῶν νήσων τούτων τὰς πολλὰς καὶ παρέδωκεν ὑμῖν καὶ φιλίας ἐποίησεν ἐχθρῶς ἐχούσας πρότερον, τρισχίλια δ' αἰχμάλωτα σώματα δεῦρ' ἤγαγε, καὶ πλεῖν ἢ δέκα καὶ ἑκατὸν τάλαντ' ἀπέφηνεν ἀπὸ τῶν πολεμίων. καὶ τούτων πάντων ὑμῶν τινες, αἱ πρεσβύτατοι, μάρτυρές εἰσὶ μοι. πρὸς δὲ τούτοις ἄλλας τριήρεις πλεῖν ἢ εἴκοσιν εἴλε, κατὰ μίαν καὶ δύο λαμβάνων, ἃς ἀπάσας εἰς τοὺς ὑμετέρους λιμένας κατήγαγεν. ἐνὶ δὲ κεφαλαίῳ, μόνος τῶν πάντων στρατηγῶν 78 οὐ πόλιν, οὐ φρούριον, οὐ ναῦν, οὐ στρατιώτην ἀπώλεσεν οὐδέν' ἡγούμενος ὑμῶν, οὐδ' ἔστιν οὐδενὶ τῶν ὑμετέρων ἐχθρῶν τρόπαιον οὐδὲν ἄφ' ὑμῶν κάκεινον, ὑμῖν δ' ἀπὸ πολλῶν πόλλ' ἐκείνου στρατηγούντος. ἵνα δὲ μὴ λέγων παραλίπω τι τῶν πεπραγμένων αὐτῷ, ἀναγνώσεται γεγραμμένας ὑμῖν τὰς τε ναῦς ὅσας ἔλαβε καὶ οὐ ἐκάστην, καὶ τῶν πόλεων τὸν ἀριθμὸν καὶ τῶν χρημάτων τὸ πλῆθος καὶ τῶν τροπαίων, οὐ ἕκαστον. λέγε.

ΠΡΑΞΕΙΣ ΧΑΒΡΙΟΥ.

- 79 Δοκεῖ τισιν ὑμῶν, ὦ ἄνδρες δικασταί, οὗτος ὁ
 τοσαύτας πόλεις λαβὼν καὶ τριήρεις τῶν πολεμίων
 ναυμαχία νικήσας καὶ τοσούτων καλῶν αἴτιος
 ὢν, αἰσχροῦ δ' οὐδενὸς τῇ πόλει, ἄξιός ἐστιν 481
 ἀποστερηθῆναι τὴν ἀτέλειαν, ἣν εὔρετο παρ' ὑμῶν
 καὶ τῷ νικῶντι κατέλιπεν; ἐγὼ μὲν οὐκ οἶμαι. καὶ
 γὰρ ἂν ἄλογον εἴη· μίαν μὲν πόλιν εἰ ἀπώλεσεν
 ἢ ναῦς δέκα μόνας, περὶ προδοσίας ἂν αὐτὸν εἰσ-
 ἡγγελλον οὔτοι, καὶ εἰ ἐάλω, τὸν ἅπαντ' ἂν
 80 ἀπωλώλει χρόνον· ἐπειδὴ δὲ τούναντίον ἑπτα-
 καίδεκα πόλεις εἴλεν, ἐβδομήκοντα δὲ ναῦς ἔλαβεν,
 τρισχιλίους δ' αἰχμαλώτους, δέκα δὲ καὶ ἑκατὸν
 τάλαντ' ἀπέφηνε, τοσαῦτα δ' ἔστησε τρόπαια,
 τηνικαῦτα δ' οὐκ ἔσται κύρι' αὐτῷ τὰ δοθέντ'
 ἐπὶ τούτοις; καὶ μὲν, ὦ ἄνδρες Ἀθηναῖοι, καὶ
 ζῶν πάνθ' ὑπὲρ ὑμῶν φανήσεται πράξας Χαβρίας,
 καὶ τὴν τελευτὴν αὐτὴν τοῦ βίου πεποιημένος
 οὐχ ὑπὲρ ἄλλου τινός, ὥστε δικαίως ἂν οὐ μόνον
 διὰ τὰ ζῶντι πεπραγμένα φαίνοισθ' εὐνοϊκῶς
 διακείμενοι πρὸς τὸν υἱὸν αὐτοῦ, ἀλλὰ καὶ διὰ
 81 ταύτην. ἄξιον τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, καθεῖναι
 σκοπεῖν, ὅπως μὴ φανούμεθα φανλότεροι Χίων
 περὶ τοὺς εὐεργέτας γεγενημένοι. εἰ γὰρ ἐκεῖνοι
 μὲν, ἐφ' οὓς μεθ' ὅπλων ἦλθεν ἐν ἐχθροῦ τάξει,
 μηδὲν ὧν ἔδοσαν πρότερον νῦν ἀφήρηνται, ἀλλὰ
 τὰς πάσαι χάριτας μείζους τῶν καινῶν ἐγκλη-
 μάτων πεποίηνται, ὑμεῖς δ', ὑπὲρ ὧν ἐπ' ἐκείνους
 ἐλθὼν ἐτελεύτησεν, ἀντὶ τοῦ διὰ ταῦτ' ἔτι μάλ-

λον αὐτὸν τιμᾶν καὶ τῶν ἐπὶ ταῖς πρότερον
 εὐεργεσίαις τι δοθέντων ἀφηρημένοι φανήσεσθε,
 πῶς οὐκ εἰκότως αἰσχύνην ἔχετε; καὶ μὲν καὶ 82
 κατ' ἐκεῖν' ἀνάξι' ἂν εἴη πεπονθὼς ὁ παῖς, εἰ
 482 τῆς δωρεᾶς ἀφαιρεθείη, καθ' ὃ πολλάκις ὑμῶν
 στρατηγήσαντος Χαβρίου οὐδενὸς πώποθ' υἱὸς
 ὀρφανὸς δι' ἐκείνον ἐγένετο, αὐτὸς δ' ἐν ὀρφανίᾳ
 τέθραπται διὰ τὴν πρὸς ὑμᾶς φιλοτιμίαν τοῦ
 πατρός· οὕτω γὰρ ὥς ἀληθῶς ἔμοιγε φαίνεται
 βεβαίως πως ἐκείνος φιλόπολις, ὥστε δοκῶν καὶ
 ὧν ἀσφαλέστατος στρατηγὸς ἀπάντων ὑπὲρ μὲν
 ὑμῶν, ὁπόθ' ἡγοῖτο, ἐχρήτο τούτῳ, ὑπὲρ αὐτοῦ δ',
 ἐπειδὴ τὸ καθ' αὐτὸν ἐτάχθη κινδυνεύειν, παρείδεν,
 καὶ μᾶλλον εἴλετο μὴ ζῆν ἢ κατασχεῖν τὰς παρ'
 ὑμῶν ὑπαρχούσας αὐτῷ τιμάς. εἴθ' ὑπὲρ ὧν 83
 ἐκείνος ᾤετο δεῖν ἀποθνήσκειν ἢ νικᾶν, ταῦθ' ἡμεῖς
 ἀφελώμεθα τὸν υἱὸν αὐτοῦ; καὶ τί φήσομεν, ὦ
 ἄνδρες Ἀθηναῖοι, ὅταν τὰ μὲν τρόπαι' ἐστήκη
 δῆλα πᾶσιν ἀνθρώποις, ἃ ὑπὲρ ὑμῶν στρατηγῶν
 ἐκείνος ἔστησε, τῶν δ' ἐπὶ τούτοις δωρεῶν ἀφηρη-
 μένον τι φαίνεται; οὐ σκέψεσθ', ὦ ἄνδρες
 Ἀθηναῖοι, καὶ λογιεῖσθ' ὅτι νῦν οὐχ ὁ νόμος
 κρίνεται, πότερόν ἐστιν ἐπιτήδειος ἢ οὐ, ἀλλ'
 ὑμεῖς δοκιμάζεσθε, εἴτ' ἐπιτήδειοι πάσχειν ἔστ'
 εἶναι τὸν λοιπὸν χρόνον εἴτε μή;

Λαβὲ δὴ καὶ τὸ τῷ Χαβρίᾳ ψήφισμα ψηφισθέν. 84
 ὅρα δὴ καὶ σκόπει· δεῖ γὰρ αὐτ' ἐνταῦθ' εἶναί
 που.

Ἐγὼ δ' ἔτι τοῦτ' εἰπεῖν ὑπὲρ Χαβρίου βούλο-
 μαι. ὑμεῖς, ὦ ἄνδρες Ἀθηναῖοι, τιμῶντές ποτ'

Ἰφικράτην οὐ μόνον αὐτὸν ἐτιμήσατε, ἀλλὰ καὶ δι' ἐκείνον Στράβακα καὶ Πολύστρατον, καὶ πάλιν Τιμοθέω διδόντες τὴν δωρεὰν δι' ἐκείνον ἐδώκατε καὶ Κλεάρχῳ καὶ τισιν ἄλλοις πολιτείαν 85 Χαβρίας δ' αὐτὸς ἐτιμήθη παρ' ὑμῖν μόνος· εἰ δὴ τόθ', ὅθ' εὐρίσκετο τὴν δωρεάν, ἡξίωσεν ὑμᾶς, 483 ὥσπερ δι' Ἰφικράτην καὶ Τιμόθεον εὖ τινας πεποιήκατε, οὕτω καὶ δι' αὐτὸν εὖ ποιῆσαι τούτων τινας τῶν εὐρημένων τὴν ἀτέλειαν, οὓς νῦν οὗτοι μεμφόμενοι πάντας ἀφαιρεῖσθαι κελεύουσιν ὁμοίως, οὐκ ἂν ἐδώκατε ταύτην αὐτῷ τὴν χάριν; ἔγωγ' 86 ἡγοῦμαι. εἴθ' οἷς δι' ἐκείνον ἂν τότ' ἐδώκατε δωρεάν, διὰ τούτους νῦν αὐτὸν ἐκείνον ἀφαιρήσεσθε τὴν ἀτέλειαν; ἀλλ' ἄλογον. οὐδὲ γὰρ ὑμῖν ἀρμόττει δοκεῖν παρὰ μὲν τὰς εὐεργεσίας οὕτω προχείρως ἔχειν, ὥστε μὴ μόνον αὐτοὺς τοὺς εὐεργέτας τιμᾶν, ἀλλὰ καὶ τοὺς ἐκείνων φίλους, ἐπειδὴν δὲ χρόνος διέλθῃ βραχύς, καὶ ὅς' αὐτοῖς δεδώκατε, ταῦτ' ἀφαιρεῖσθαι.

ΨΗΦΙΣΜΑ ΤΩΝ ΧΑΒΡΙΟΥ ΤΙΜΩΝ.

87 Οὓς μὲν τοίνυν ἀδικήσετε, εἰ μὴ λύσετε τὸν νόμον, πρὸς πολλοῖς ἄλλοις οὓς ἀκηκόατ' εἰσὶν, ὧ ἄνδρες δικασταί. σκοπεῖτε δὴ καὶ λογίσασθ' ἐν ὑμῖν αὐτοῖς, εἴ τινες τούτων τῶν τετελευτηκότων λάβοιεν τρόπῳ τινὶ τοῦ νυνὶ γιγνομένου πράγματος αἰσθησιν, ὥς ἂν εἰκότως ἀγανακτήσειαν. εἰ γὰρ ὧν ἔργῳ πεποίηκεν ἕκαστος αὐτῶν ὑμᾶς εὖ, τούτων ἐκ λόγου κρίσις γίγνεται, καὶ τὰ καλῶς πραχθένθ' ὑπ' ἐκείνων, ἂν ὑφ' ἡμῶν μὴ

καλῶς ῥηθῇ τῷ λόγῳ, μάτην τοῖς πονήσασιν εἵργασται, πῶς οὐ δεινὰ πάσχουσιν;

Ἵνα τοίνυν εἰδῇτ', ὧ ἄνδρες Ἀθηναῖοι, ὅτι ὥς 88 ἀληθῶς ἐπὶ πᾶσι δικαίοις ποιούμεθα τοὺς λόγους πάντας, οὓς λέγομεν πρὸς ὑμᾶς, καὶ οὐδὲν ἔσθ' ὅ τι τοῦ παρακρούσασθαι καὶ φενακίσαι λέγεται 484 παρ' ἡμῶν εἵνεκα, ἀναγνώσεται τὸν νόμον ὑμῖν, ὃν παραιοφύρομεν γράψαντες ἀντὶ τοῦδε, ὃν οὐκ ἐπιτήδειον εἶναί φαμεν. γνῶσεσθε γὰρ ἐκ τούτου πρόνοιάν τιν' ἔχοντας ἡμᾶς, καὶ ὅπως ὑμεῖς μηδὲν αἰσχρὸν ποιῆσαι δόξετε, καὶ ὅπως, εἴ τινά τις καταμέμφεται τῶν εὐρημένων τὰς δωρεάς, ἂν δίκαιον ᾖ, κρίνας παρ' ὑμῖν ἀφαιρήσεται, καὶ ὅπως, οὓς οὐδεὶς ἂν ἀντίποι μὴ οὐ δεῖν ἔχειν, ἔξουσιν τὰ δοθέντα. καὶ τούτων πάντων οὐδέν 89 ἔστι καινὸν οὐδ' ἡμέτερον εὐρημα, ἀλλ' ὁ παλαιός, ὃν οὗτος παρέβη, νόμος οὕτω κελεύει νομοθετεῖν, γράφεσθαι μὲν, ἂν τίς τινα τῶν ὑπαρχόντων νόμων μὴ καλῶς ἔχειν ἡγῇται, παραιοφέρειν δ' αὐτὸν ἄλλον, ὃν ἂν τιθῇ λύων ἐκείνον, ὑμᾶς δ' ἀκούσαντας ἐλέσθαι τὸν κρείττω. οὐ γὰρ ᾤετο 90 δεῖν ὁ Σόλων, ὁ τοῦτον τὸν τρόπον προστάξας νομοθετεῖν, τοὺς μὲν θεσμοθέτας τοὺς ἐπὶ τοὺς νόμους κληρουμένους δις δοκιμασθέντας ἄρχειν, ἐν τε τῇ βουλῇ καὶ παρ' ὑμῖν ἐν τῷ δικαστηρίῳ, τοὺς δὲ νόμους αὐτούς, καθ' οὓς καὶ τούτοις ἄρχειν καὶ πᾶσι τοῖς ἄλλοις πολιτεύεσθαι προσήκει, ἐπὶ καιροῦ τεθέντας, ὅπως ἔτυχον, μὴ δοκιμασθέντας κυρίους εἶναι. καὶ γὰρ τοι τότε μὲν, 91 τέως τὸν τρόπον τοῦτον ἐνομοθέτουν, τοῖς μὲν

ὑπάρχουσι νόμοις ἐχρῶντο, καινοὺς δ' οὐκ ἐτίθεσαν· ἐπειδὴ δὲ τῶν πολιτευομένων τινὲς δυνηθέντες, ὡς ἐγὼ πυνθάνομαι, κατεσκεύασαν αὐτοῖς ἐξεῖναι νομοθετεῖν, ὅταν τις βούληται καὶ ὃν ἂν τύχη τρόπον, τοσοῦτοι μὲν οἱ ἐναντίοι σφίσιν αὐτοῖς εἰσι νόμοι, ὥστε χειροτονεῖθ' ὑμεῖς τοὺς διαλέξον-
 92 καὶ τὸ πρῶγμ' οὐδὲν μᾶλλον δύναται πέρας ἔχειν, 485
 ψηφισμάτων δ' οὐδ' ὅτιοῦν διαφέρουσιν οἱ νόμοι, ἀλλὰ νεώτεροι οἱ νόμοι, καθ' οὓς τὰ ψηφίσματα δεῖ γράφεσθαι, τῶν ψηφισμάτων αὐτῶν ὑμῖν εἰσιν. ἵν' οὖν μὴ λόγον λέγω μόνον, ἀλλὰ καὶ τὸν νόμον αὐτὸν ὃν φημι δείξω, λαβέ μοι τὸν νόμον καθ' ὃν ἦσαν οἱ πρότερον νομοθέται. λέγε.

ΝΟΜΟΣ.

93 Συνίεθ' ὃν τρόπον, ὧ ἄνδρες Ἀθηναῖοι, ὁ Σόλων τοὺς νόμους, ὡς καλῶς κελεύει τιθέναι, πρῶτον μὲν παρ' ὑμῖν, ἐν τοῖς ὁμωμοκόσιν, παρ' οἷσπερ καὶ τᾶλλα κυροῦται, ἔπειτα λύοντα τοὺς ἐναντίους, ἵν' εἷς ἢ περὶ τῶν ὄντων ἐκάστου νόμος καὶ μὴ τοὺς ιδιώτας αὐτὸ τοῦτο ταραττή καὶ ποιῇ τῶν ἅπαντας εἰδότων τοὺς νόμους ἔλαττον ἔχειν, ἀλλὰ πᾶσιν ἢ ταῦτ' ἀναγνῶναι καὶ μαθεῖν ἀπλᾶ
 94 καὶ σαφῇ τὰ δίκαια. καὶ πρὸ τούτων γ' ἐπέταξεν ἐκθεῖναι πρόσθε τῶν ἐπωνύμων καὶ τῷ γραμματεῖ παραδοῦναι, τοῦτον δ' ἐν ταῖς ἐκκλησίαις ἀναγιγ-
 νώσκειν, ἵν' ἕκαστος ὑμῶν ἀκούσας πολλάκις καὶ κατὰ σχολὴν σκεψάμενος, ἂν ἢ καὶ δίκαια καὶ συμφέροντα, ταῦτα νομοθετῇ. τούτων τοίνυν

τοσοῦτων ὄντων δικαίων τὸ πλήθος οὐτοσὶ μὲν οὐδ' ὅτιοῦν ἐποίησεν Λεπτίνης (οὐδὲ γὰρ ἂν ὑμεῖς ποτ' ἐπείσθητε, ὡς ἐγὼ νομίζω, θέσθαι τὸν νόμον), ἡμεῖς δ', ὧ ἄνδρες Ἀθηναῖοι, πάντα, καὶ παρεισφέρομεν πολλῷ καὶ κρείττω καὶ δικαιότερον τοῦ τούτου νόμον. γνῶσεσθε δ' ἀκούοντες. 95
 96 λαβέ καὶ λέγε πρῶτον μὲν ἃ τοῦ τούτου νόμου γεγράμμεθα, εἰθ' ἃ φάμεν δεῖν ἀντὶ τούτων τεθῆ-
 ναι. λέγε.

ΝΟΜΟΣ.

Ταῦτα μὲν ἐστὶν ἃ τοῦ τούτου νόμου διώκομεν ὡς οὐκ ἐπιτήδεια. τὰ δ' ἐξῆς λέγε, ἃ τούτων εἶναι βελτίω φάμεν. προσέχετ', ἄνδρες δικασταί, τούτοις ἀναγιγνωσκομένοις τὸν νοῦν. λέγε.

ΝΟΜΟΣ.

Ἐπίσχες. τοῦτο μὲν ἐστὶν ἐν τοῖς οὖσι νόμοις 96
 κυρίοις ὑπάρχον καλόν, ἄνδρες Ἀθηναῖοι, καὶ σαφές, τὰς δωρεάς, ὅσας ὁ δῆμος ἔδωκε, κυρίας εἶναι, δίκαιον, ὧ γῇ καὶ θεοί. χρῆν τοίνυν Λεπτίνην μὴ πρότερον τιθέναι τὸν ἑαυτοῦ νόμον, πρὶν τοῦτον ἔλυσεν γραψάμενος. νῦν δὲ μαρτυρίαν καθ' ἑαυτοῦ καταλείπων ὅτι παρανομεῖ τουτονὶ τὸν νόμον, ὅμως ἐνομοθέτει, καὶ ταῦθ' ἐτέρου κελεύοντος νόμου καὶ κατ' αὐτὸ τοῦτ' ἔνοχον εἶναι τῇ γραφῇ, εἰ ἂν ἐναντίος ἢ τοῖς πρότερον κειμένοις νόμοις. λαβέ δ' αὐτὸν τὸν νόμον.

εἰσενήνοχας μὴ ἐξεῖναι τῷ δήμῳ τῶν ἑαυτοῦ
 δοῦναι μηδενὶ μηδέν, πῶς σέ τις φήσει τοὺς
 Σόλωνος ἀνεγνωκέναι νόμους ἢ συνιέναι, ὃς ἔρημον
 ποιεῖς τὸν δῆμον τῶν φιλοτιμησομένων, προλέγων
 καὶ δεικνύς, ὅτι τοῖς ἀγαθόν τι ποιοῦσιν οὐδ'
 104 ὅτιοῦν ἔσται πλεόν; καὶ μὴν κακῆνός τῶν καλῶς
 δοκούντων ἔχειν νόμων Σόλωνός ἐστιν, μὴ λέγειν
 κακῶς τὸν τεθνεῶτα, μηδ' ἂν ὑπὸ τῶν ἐκείνου
 τις ἀκούῃ παίδων αὐτός· σὺ δὲ ποιεῖς, οὐ λέγεις
 κακῶς τοὺς εὖ τετελευτηκότας, τῶν εὐεργετῶν
 τῷ δεῖνι μεμφόμενος καὶ τὸν δεῖν' ἀνάξιον εἶναι
 φάσκων, ὧν οὐδὲν ἐκείνοις προσήκεν. ἄρ' οὐ
 πολὺ τοῦ Σόλωνος ἀποστατεῖς τῇ γνώμῃ;
 105 Πάννυ τοίνυν σπουδῇ τις ἀπήγγελλέ μοι περὶ
 τοῦ μηδενὶ δεῖν μηδὲν διδόναι, μηδ' ἂν ὅτιοῦν
 πράξῃ, τοιοῦτόν τι λέγειν αὐτοὺς παρεσκευάσθαι,
 ὥς ἄρ' οἱ Λακεδαιμόνιοι καλῶς πολιτευόμενοι,
 καὶ Θηβαῖοι οὐδενὶ τῶν παρ' ἑαυτοῖς διδόασιν 489
 τοιαύτην οὐδεμίαν τιμὴν· καίτοι καὶ παρ' ἐκείνοις
 τινές εἰσιν ἴσως ἀγαθοί. ἐμοὶ δὲ δοκοῦσιν, ὧ
 ἄνδρες Ἀθηναῖοι, πάντες οἱ τοιοῦτοι λόγοι παροξ-
 υντικοὶ μὲν εἶναι πρὸς τὸ τὰς ἀτελείας ὑμᾶς
 ἀφελέσθαι πείσαι, οὐ μέντοι δίκαιοί γ' οὐδαμῇ.
 οὐ γὰρ ἀγνοῶ τοῦθ', ὅτι Θηβαῖοι καὶ Λακεδαιμό-
 νιοι καὶ ἡμεῖς οὔτε νόμοις οὔτ' ἔθεσι χρώμεθα
 106 τοῖς αὐτοῖς οὔτε πολιτεία. αὐτὸ γὰρ τοῦτο
 πρῶτον, ὃ νῦν οὗτοι ποιήσουσιν, ἐὰν ταῦτα λέγω-
 σιν, οὐκ ἔξεστι ποιεῖν παρὰ τοῖς Λακεδαιμονίοις,
 τὰ τῶν Ἀθηναίων ἐπαινεῖν νόμιμα οὐδὲ τὰ τῶν
 δείνων, πολλοῦ γε καὶ δεῖ, ἀλλ' ἂ τῇ παρ' ἐκείνοις

πολιτεία συμφέρει, ταῦτ' ἐπαινεῖν ἀνάγκη καὶ
 ποιεῖν. εἴτα καὶ Λακεδαιμόνιοι τῶν μὲν τοιούτων
 ἀφεστᾶσιν, ἄλλαι δὲ τινες παρ' ἐκείνοις εἰσὶ
 τιμαί, ἃς ἀπεύξαιτ' ἂν ἅπας ὁ δῆμος ἐνταυθοῖ
 γενέσθαι. τίνες οὖν εἰσιν αὐταί; τὰς μὲν καθ' 107
 ἕκαστον ἑάσω, μίαν δ', ἣ συλλαβοῦσα τὰς ἄλλας
 ἔχει, δίδειμι. ἐπειδὴν τις εἰς τὴν καλουμένην
 γερουσίαν ἐγκριθῇ παρασχὼν αὐτὸν οἶον χρή,
 δεσπότης ἐστὶ τῶν πολλῶν. ἐκεῖ μὲν γὰρ ἐστὶ
 τῆς ἀρετῆς ἄθλον τῆς πολιτείας κυρίῳ γενέσθαι
 μετὰ τῶν ὁμοίων, παρὰ δ' ἡμῖν ταύτης μὲν ὁ
 δῆμος κύριος, καὶ ἀραὶ καὶ νόμοι καὶ φυλακαὶ
 ὅπως μηδεὶς ἄλλος κύριος γενήσεται, στέφανοι δὲ
 καὶ ἀτέλεια καὶ σιτήσεις καὶ τοιαῦτ' ἐστίν, ὧν
 ἂν τις ἀνὴρ ἀγαθὸς ὧν τύχοι. καὶ ταῦτ' ἀμφοτέρ' 108
 ὀρθῶς ἔχει, καὶ τὰ κεῖ καὶ τὰ παρ' ἡμῖν. διὰ τί;
 ὅτι τὰς μὲν διὰ τῶν ὀλίγων πολιτείας τὸ πάντας
 ἔχειν ἴσον ἀλλήλοις τοὺς τῶν κοινῶν κυρίους
 490 ὁμοιοεῖν ποιεῖ, τὴν δὲ τῶν δήμων ἐλευθερίαν ἢ
 τῶν ἀγαθῶν ἀνδρῶν ἄμιλλα, ἣν ἐπὶ ταῖς παρὰ
 τοῦ δήμου δωρεαῖς πρὸς ἑαυτοὺς ποιοῦνται,
 φυλάττει. καὶ μὴν περὶ τοῦ γε μηδὲ Θηβαίους 109
 μηδένα τιμᾶν ἐκεῖν' ἂν ἔχειν εἰπεῖν ἀληθὲς οἶμαι.
 μεῖζον, ὧ ἄνδρες Ἀθηναῖοι, Θηβαῖοι φρονοῦσιν
 ἐπ' ὁμότητι καὶ πονηρίᾳ ἢ ὑμεῖς ἐπὶ φιλανθρωπία
 καὶ τῷ τὰ δίκαια βούλεσθαι. μήτ' οὖν ἐκείνοί
 ποτε παύσαιντο, εἰ ἄρ' εὐξασθαι δεῖ, τοὺς μὲν
 ἑαυτοὺς ἀγαθόν τι ποιοῦντας μήτε τιμῶντες μήτε
 θαυμάζοντες, τοὺς δὲ συγγενεῖς (ἴστε γὰρ ὃν
 τρόπον Ὀρχομενὸν διέθηκαν) οὕτω μεταχειρι-

ζόμενοι, μήθ' ὑμεῖς τάναντία τούτοις τοὺς μὲν
 εὐεργέτας τιμώντες, παρὰ δὲ τῶν πολιτῶν λόγῳ
 110 μετὰ τῶν νόμων τὰ δίκαια λαμβάνοντες. ὅλως
 δ' οἶμαι τότε δεῖν τοὺς ἐτέρων ἐπαινεῖν τρόπους
 καὶ ἔθνη τοῖς ὑμετέροις ἐπιτιμῶντας, ὅταν ἢ δεῖξαι
 βέλτιον ἐκείνους πράττοντας ὑμῶν. ὅτε δ'
 ὑμεῖς, καλῶς ποιῶντες, καὶ κατὰ τὰς κοινὰς
 πράξεις καὶ κατὰ τὴν ὁμόνοιαν καὶ κατὰ τὰλλα
 πάντ' ἄμεινον ἐκείνων πράττετε, τοῦ χάριν ἂν
 τῶν ὑμετέρων αὐτῶν ἔθων ὀλιγωροῦντες ἐκεῖνα
 διώκοιτε; εἰ γὰρ καὶ κατὰ τὸν λογισμὸν ἐκεῖνα
 φανείη βελτίω, τῆς γε τύχης ἕνεκα, ἢ παρὰ ταῦτ'
 111 ἀγαθῇ κέχρησθε, ἐπὶ τούτων ἄξιον μείναι. εἰ
 δὲ δεῖ παρὰ πάντα ταῦτ' εἰπεῖν ὃ δίκαιον ἡγοῦμαι,
 ἐκεῖν' ἂν ἔγωγ' εἴποιμι. οὐκ ἔστι δίκαιον, ὦ
 ἄνδρες Ἀθηναῖοι, τοὺς Λακεδαιμονίων νόμους
 οὐδὲ τοὺς Θηβαίων λέγειν ἐπὶ τῷ τοὺς ἐνθάδε
 λυμαίνεσθαι, οὐδὲ δι' ὧν μὲν ἐκεῖνοι μεγάλοι, καὶ
 ἀποκτεῖναι βούλεσθαι τὸν παρ' ἡμῖν τούτων τι
 κατασκευάσαντα, διὰ δ' ὧν ὁ παρ' ἡμῖν δῆμος
 εὐδαίμων, ταῦθ' ὥς ἀνελεῖν δεῖ λεγόντων τινῶν
 ἐθέλειν ἀκούειν.
 112 Ἔστι τοίνυν τις πρόχειρος λόγος, ὥς ἄρα καὶ 491
 παρ' ἡμῖν ἐπὶ τῶν προγόνων πόλλ' ἀγάθ' εἰρ-
 γασμένοι τινὲς οὐδενὸς ἡξιοῦντο τοιούτου, ἀλλ'
 ἀγαπητῶς ἐπιγράμματος ἐν τοῖς Ἑρμαῖς ἔτυχον
 καὶ ἴσως τοῦθ' ὑμῖν ἀναγνώσεται τοῦπίγραμμα.
 ἐγὼ δ' ἡγοῦμαι τοῦτον τὸν λόγον, ὦ ἄνδρες
 Ἀθηναῖοι, κατὰ πόλλ' ἀσύμφορον εἶναι τῇ πόλει
 113 λέγεσθαι, πρὸς δὲ καὶ οὐδὲ δίκαιον. εἰ μὲν γὰρ

ἀναξίους εἶναι τις φήσει κακείνους τιμᾶσθαι, τίς
 ἄξιος, εἰπάτω, εἰ μήτε τῶν προτέρων μηδεὶς μήτε
 τῶν ὑστέρων· εἰ δὲ μηδένα φήσει, συναχθεσ-
 θείην ἂν ἔγωγε τῇ πόλει, εἰ μηδεὶς ἐν ἅπαντι τῷ
 χρόνῳ γέγονεν ἄξιος εὖ παθεῖν. καὶ μὴν εἴ γ'
 ὁμολογῶν ἐκείνους εἶναι σπουδαίους μὴ τετυχη-
 κότας δείξει μηδενός, τῆς πόλεως ὥς ἀχαρίστου
 δήπου κατηγορεῖ. ἔστι δ' οὐχ οὕτω ταῦτ'
 ἔχοντα, οὐδ' ὀλίγου δεῖ· ἀλλ' ἐπειδάν τις,
 οἶμαι, κακουργῶν ἐπὶ μὴ προσήκοντα πράγματα
 τοὺς λόγους μεταφέρῃ, δυσχερεῖς ἀνάγκη φαίνεσ-
 θαι. ὥς δὲ τάληθές τ' ἔχει καὶ δίκαιόν ἐστι 114
 λέγειν, ἐγὼ πρὸς ὑμᾶς ἐρῶ. ἦσαν, ὦ ἄνδρες
 Ἀθηναῖοι, πολλοὶ τῶν πρότερον σπουδαῖοι, καὶ
 ἡ πόλις ἡμῶν ἐτίμα καὶ τότε τοὺς ἀγαθοὺς· αἱ
 μέντοι τιμαὶ καὶ τὰλλα πάντα τὰ μὲν τότε ἦν
 ἐπὶ τοῖς τότε ἔθεσιν, τὰ δὲ νῦν ἐπὶ τοῖς νῦν.
 πρὸς οὖν τί τοῦτο λέγω; ὅτι φήσαιμ' ἂν ἔγωγ'
 ἐκείνους οὐκ ἔστιν ὅτου παρὰ τῆς πόλεως οὐ
 τυχεῖν, ὧν ἐβουλήθησαν. τίνι χρώμενος τεκ-
 μηρίφ; ὅτι Λυσιμάχῳ δωρεάν, ἐνὶ τῶν τότε 115
 χρησίμων, ἑκατὸν μὲν ἐν Εὐβοίᾳ πλέθρα γῆς
 πεφυτευμένης ἔδοσαν, ἑκατὸν δὲ ψιλῆς, ἔτι δ'
 ἀργυρίου μνᾶς ἑκατόν, καὶ τέτταρας τῆς ἡμέρας
 492 δραχμάς. καὶ τούτων ψήφισμ' ἔστιν Ἀλκι-
 βιάδου, ἐν ᾧ ταῦτα γέγραπται. τότε μὲν γὰρ
 ἡ πόλις ἡμῶν καὶ γῆς εὐπόρει καὶ χρημάτων,
 νῦν δ' εὐπορήσει. δεῖ γὰρ οὕτω λέγειν καὶ μὴ
 βλασφημεῖν. καίτοι τίν' οὐκ ἂν οἴεσθε νῦν τὸ
 τρίτον μέρος τούτων ἀντὶ τῆς ἀτελείας ἐλέσθαι;

ὅτι τοίνυν ἀληθῆ λέγω, λαβέ μοι τὸ ψήφισμα
τουτι.

ΨΗΦΙΣΜΑ.

- 116 Ὅτι μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, καὶ τοῖς
προγόνους ὑμῶν ἔθος ἦν τοὺς χρηστοὺς τιμᾶν,
δηλοῖ τὸ ψήφισμα τουτί· εἰ δὲ μὴ τοῖς αὐτοῖς
οἷσπερ ἡμεῖς νῦν, ἕτερόν τι τοῦτ' ἂν εἴη. εἰ
τοίνυν μήτε Λυσίμαχον μήτ' ἄλλον μηδένα μηδὲν
εὐρῆσθαι παρὰ τῶν προγόνων ἡμῶν συγχω-
ρήσαιμεν, τί μᾶλλον, οἷς ἔδομεν νῦν ἡμεῖς, διὰ
117 τοῦτο δικαίως ἂν ἀφαιρεθεῖεν; οὐ γὰρ οἱ μὴ
δόντες ἂ μὴ δοκεῖ δεινὸν εἶσιν οὐδὲν εἰργασμένοι,
ἀλλ' οἱ δόντες μὲν, πάλιν δ' ὕστερον μηδὲν
ἐγκαλοῦντες ἀφαιρούμενοι. εἰ μὲν γὰρ τις ἔχει
δείξαι κακείνους ὧν ἔδοσαν τῷ τι τοῦτ' ἀφηρε-
μένους, συγχωρῶ καὶ ὑμᾶς ταῦτο τοῦτο ποιῆσαι,
καίτοι τοῦτό γ' αἰσχρὸν ὁμοίως· εἰ δὲ μὴδ' ἂν
εἷς ἐν ἅπαντι τῷ χρόνῳ τοῦτ' ἔχοι δεῖξαι γεγονός,
τίνος εἵνεκ' ἐφ' ἡμῶν πρῶτον καταδειχθῇ τοιοῦτον
ἔργον;
118 Χρὴ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, κακεῖν'
ἐνθυμεῖσθαι καὶ ὁρᾶν, ὅτι νῦν ὁμωμοκότες κατὰ
τοὺς νόμους δικάσειν ἤκετε, οὐχὶ τοὺς Λακεδαιμο-
νίων οὐδὲ Θηβαίων, οὐδ' οἷς ποτ' ἐχρήσανθ' οἱ
πρῶτοι τῶν προγόνων, ἀλλὰ καθ' οὓς ἔλαβον τὰς
ἀτελείας οὓς ἀφαιρεῖται νῦν οὗτος τῷ νόμῳ, καὶ
περὶ ὧν ἂν νόμοι μὴ ᾧσι, γνώμη τῇ δικαιοτάτῃ
κρινεῖν. καλῶς. τὸ τοίνυν τῆς γνώμης πρὸς 493
119 ἅπαντ' ἀνενέγκατε τὸν νόμον. ἄρ' οὖν δίκαιον,

ὦ ἄνδρες Ἀθηναῖοι, τοὺς εὐεργέτας τιμᾶν;
δίκαιον. τί δ', ὅσ' ἂν δῶ τις ἅπαξ. δίκαιον
ἔχειν ἑᾶν; δίκαιον. ταῦτα τοίνυν αὐτοὶ τε ποι-
εῖτε, ἵν' εὐορκῆτε, καὶ τοὺς προγόνους ὀργίξεσθ'
ἂν μὴ τις φῇ ποιεῖν, καὶ τοὺς τὰ τοιαῦτα
λέγοντας παραδείγματα, ὡς ἄρ' ἐκείνοι μεγάλ'
εὖ παθόντες οὐδὲν ἐτίμησαν, καὶ πονηροὺς καὶ
ἀπαιδεύτους ἡγείσθ' εἶναι, πονηροὺς μὲν, διότι
καταψεύδονται τῶν προγόνων ὑμῶν ὡς ἀχαρίστων,
ἀμαθεῖς δέ, διότι ἐκεῖν' ἀγνοοῦσιν, ὅτι εἰ τὰ
μάλιστα ταῦθ' οὕτως εἶχεν, ἀρνεῖσθαι μᾶλλον ἢ
λέγειν αὐτοῖς προσῆκεν.

Οἶμαι τοίνυν καὶ τοῦτον τὸν λόγον Λεπτίνην 120
ἐρεῖν, ὡς τὰς εἰκόνας καὶ τὴν σίτησιν οὐκ
ἀφαιρεῖται τῶν εἰληφότων ὁ νόμος, οὐδὲ τῆς
πόλεως τὸ τιμᾶν τοὺς ὄντας ἀξίους, ἀλλ' ἔσται
χαλκοῦς ἰστάναι καὶ σίτησιν διδόναι καὶ ἄλλ' ὅ
τι ἂν βούλησθε, πλὴν τούτου. ἐγὼ δ' ὑπὲρ ὧν
μὲν τῇ πόλει καταλείπειν φήσει, τοσοῦτον λέγω
ὅταν, ὧν ἐδώκατέ τῳ πρότερόν τι, τοῦτ' ἀφέλησθε,
καὶ τὰς ὑπολοίπους ἀπίστους ποιήσετε πάσας
δωρεάς. τί γὰρ ἔσται πιστότερον τὸ τῆς εἰκόνης
ἢ τὸ τῆς σιτήσεως, ἢ τὸ τῆς ἀτελείας, ἢν πρό-
τερόν τισι δόντες ἀφηρεμένοι φανείσθε; ἔτι δ' 121
εἰ μηδὲν ἔμελλε τοῦτ' ἔσεσθαι δυσχερές, οὐδ'
ἐκεῖνο καλῶς ἔχειν ἡγοῦμαι, εἰς τοιαύτην ἄγειν
ἀνάγκην τὴν πόλιν, δι' ἧς ἅπαντας ἐξ ἴσου τῶν
αὐτῶν ἀξιῶσει τοῖς τὰ μέγιστ' εὐεργετοῦσιν, ἢ
μὴ τοῦτο ποιούσα χάριν τισὶν οὐκ ἀποδώσει.
μεγάλων μὲν οὖν εὐεργεσιῶν οὐθ' ἡμῖν συμφέρει

- συμβαίνειν πολλάκις καιρόν, οὐτ' ἴσως ῥάδιον 494
 122 αἰτίῳ γενέσθαι· μετρίων δὲ καὶ ὧν ἐν εἰρήνῃ
 τις καὶ πολιτεία δύναιτ' ἂν ἐφικέσθαι, εὐνοίας,
 δικαιοσύνης, ἐπιμελείας, τῶν τοιούτων, καὶ συμ-
 φέρειν ἔμοιγε δοκεῖ καὶ χρῆναι διδόναι τὰς
 τιμὰς. δεῖ τοίνυν μεμερίσθαι καὶ τὰ τῶν δωρεῶν,
 ἵν' ἡς ἂν ἄξιός ὧν ἕκαστος φαίνεται, ταύτην
 123 παρὰ τοῦ δήμου λαμβάνῃ τὴν δωρεάν. ἀλλὰ μὴν
 ὑπὲρ ὧν γε τοῖς εὐρημένοις τὰς τιμὰς καταλείπειν
 φήσει, οἱ μὲν ἀπλᾶ πάνυ καὶ δίκαι' ἂν εἴποιεν,
 πάνθ', ὅσα τῶν αὐτῶν ἔνεκ' αὐτοῖς ἔδοτ' εὐερ-
 γεσιῶν, ἀξιούντες ἔχειν, οἱ δὲ φενακίζειν τὸν ὥς
 καταλείπεται λέγοντά τι αὐτοῖς. ὁ γὰρ ἄξια
 τῆς ἀτελείας εὖ πεποιηκέναι δόξας καὶ ταύτην
 παρ' ὑμῶν λαβὼν τὴν τιμὴν μόνην, ἣ ξένος ἢ καὶ
 τις πολίτης, ἐπειδὰν ἀφαιρεθῇ ταύτην, τίς ἔχει
 λοιπὴν δωρεάν, Λεπτίνην; οὐδεμίαν. μὴ τοίνυν
 διὰ μὲν τοῦ τῶνδε κατηγορεῖν ὥς φαύλων ἐκείνους
 ἀφαιροῦ, δι' ἃ δ' αὖ καταλείπειν ἐκείνοις φήσεις,
 τούσδε, ὃ μόνον λαβόντες ἔχουσι, τοῦτ' ἀφέλῃ.
 124 ὥς δ' ἀπλῶς εἰπεῖν, οὐκ εἰ τῶν πάντων ἀδική-
 σομέν τινα μείζον' ἢ ἐλάττονα, δεινόν ἐστιν,
 ἀλλ' εἰ τὰς τιμὰς, αἷς ἂν αὐτ' εὖ ποιήσωμέν τινας,
 ἀπίστους καταστήσομεν· οὐδ' ὁ πλείστος ἔμοιγε
 λόγος περὶ τῆς ἀτελείας ἐστίν, ἀλλ' ὑπὲρ τοῦ
 πονηρὸν ἔθος τὸν νόμον εἰσάγειν καὶ τοιοῦτον, δι'
 οὗ πάντ' ἄπισθ' ὅς' ὁ δῆμος δίδωσιν ἔσται.
 125 Ὅν τοίνυν· κακουργότατον οἶονται λόγον εὐρη-
 κέναι πρὸς τὸ τὰς ἀτελείας ὑμᾶς ἀφελέσθαι
 πείσαι, βέλτιόν ἐστι προειπεῖν, ἵνα μὴ λάθῃτ'

ἐξαπατηθέντες. ἐροῦσι γὰρ ὅτι ταῦθ' ἱερῶν
 495 ἐστὶν ἅπαντα τὰναλώματα, αἱ χορηγίαι καὶ αἱ
 γυμνασιαρχίαι· δεινὸν οὖν, εἰ τῶν ἱερῶν ἀτελής
 τις ἀφεθήσεται. ἐγὼ δὲ τὸ μὲν τινας, οἷς ὁ
 δῆμος ἔδωκεν, ἀτελεῖς εἶναι τούτων δίκαιον ἡγοῦ-
 μαι, ὃ δὲ νῦν οὗτοι ποιήσουσιν, εἰ ἄρα ταῦτα
 λέγωσι, τοῦτ' εἶναι δεινὸν νομίζω. εἰ γὰρ ἂ κατὰ 126
 μηδέν' ἄλλον ἔχουσι τρόπον δεῖξαι δίκαιον ὑμᾶς
 ἀφελέσθαι, ταῦτ' ἐπὶ τῷ τῶν θεῶν ὀνόματι ποιεῖν
 ζητήσουσιν, πῶς οὐκ ἀσεβέστατον ἔργον καὶ
 δεινότατον πράξουσιν; χρή γάρ, ὥς γοῦν ἐμοὶ
 δοκεῖ, ὅσα τις πράττει τοὺς θεοὺς ἐπιφημίζων,
 τοιαῦτα φαίνεσθαι, οἷα μηδ' ἂν ἐπ' ἀνθρώπου
 πραχθέντα πονηρὰ φανείη. ὅτι δ' οὐκ ἐστὶ
 ταῦτ' ἱερῶν ἀτέλειαν ἔχειν καὶ λειτουργιῶν,
 ἀλλ' οὗτοι τὸ τῶν λειτουργιῶν ὄνομ' ἐπὶ τὸ τῶν
 ἱερῶν μεταφέροντες ἐξαπατᾶν ζητοῦσι, Λεπτίνην
 ὑμῖν αὐτὸν ἐγὼ παρασχέσομαι μάρτυρα. γράφων 127
 γὰρ ἀρχὴν τοῦ νόμου “Λεπτίνης εἶπεν” φησὶν,
 “ὅπως ἂν οἱ πλουσιώτατοι λειτουργῶσιν, ἀτελῇ
 μηδένα εἶναι πλὴν τῶν ἀφ' Ἀρμοδίου καὶ
 Ἀριστογείτονος.” καίτοι εἰ ἦν ἱερῶν ἀτέλειαν
 ἔχειν ταῦτ' καὶ λειτουργιῶν, τί τοῦτο μαθὼν
 προσέγραψεν; οὐδὲ γὰρ τούτοις ἀτέλεια τῶν
 γ' ἱερῶν ἐστὶν δεδομένη. ἵνα δ' εἰδῇθ' ὅτι ταῦτα
 τοῦτον ἔχει τὸν τρόπον, λαβέ μοι πρῶτον μὲν
 τῆς στήλης τὰντίγραφα, εἶτα τὴν ἀρχὴν τοῦ
 νόμου τοῦ Λεπτίνου. λέγε.

ΑΝΤΙΓΡΑΦΑ ΣΤΗΛΗΣ.

- 128 Ἀκούετε τῶν ἀντιγράφων τῆς στηλῆς, ὧ
ἄνδρες Ἀθηναῖοι, ἀτελεῖς αὐτοὺς εἶναι κελευόντων
πλὴν ἱερῶν. λέγε δὴ τὴν ἀρχὴν τοῦ νόμου τοῦ
Λεπτίνου.

ΝΟΜΟΣ.

496

- Καλῶς· κατάθες. γράψας “ὅπως ἂν οἱ
πλουσιώτατοι λειτουργῶσι, μηδένα εἶναι ἀτελῆ”
προσέγραψε “πλὴν τῶν ἀφ’ Ἀρμοδίου καὶ
Ἀριστογείτονος.” τίνος εἵνεκ’, εἴ γε τὸ τῶν
ἱερῶν τέλος ἐστὶ λειτουργεῖν; αὐτὸς γὰρ οὕτως
τάναντία τῇ στήλῃ γεγραφώς, ἂν τοῦτο λέγῃ,
129 φανήσεται. ἡδέως δ’ ἂν ἔγωγ’ ἐροίμην Λεπτίνην·
τίνος αὐτοῖς τὴν ἀτέλειαν ἢ σὺ νῦν καταλείπεις
φήσεις ἢ κείνους τότε δοῦναι, τὰς λειτουργίας
ὅταν εἶναι φῆς ἱερῶν; τῶν μὲν γὰρ εἰς τὸν
πόλεμον πασῶν εἰσφορῶν καὶ τριηραρχιῶν ἐκ
τῶν παλαιῶν νόμων οὐκ εἰσὶν ἀτελεῖς, τῶν δὲ
λειτουργιῶν εἴπερ εἰσὶν ἱερῶν, οὐδ’ ἔχουσιν.
130 ἀλλὰ μὴν γέγραπται γ’ ἀτελεῖς αὐτοὺς εἶναι.
τίνος; ἢ τοῦ μετοικίου; τοῦτο γὰρ λοιπόν. οὐ
δήπου, ἀλλὰ τῶν ἐγκυκλίων λειτουργιῶν, ὥς
ἢ τε στήλῃ δηλοῖ καὶ σὺ προσδιώρισας ἐν τῷ
νόμῳ καὶ μαρτυρεῖ πᾶς ὁ πρὸ τοῦ χρόνος γεγονώς,
ἐν ᾧ τοσούτῳ τὸ πλῆθος ὄντι οὔτε φυλὴ πώποτ’
ἐνεγκεῖν ἐτόλμησεν οὐδεμία οὐδένα τῶν ἀπ’
ἐκείνων χορηγόν, οὔτ’ ἐνεχθεῖς αὐτοῖς ἄλλος

οὔδεις ἀντιδοῦναι. οἷς οὐκ ἀκουστέον ἂν ἐναν-
τία τολμᾷ λέγειν.

- Ἔτι τοίνυν ἴσως ἐπισύροντες ἐροῦσιν, ὥς 131
Μεγαρεῖς καὶ Μεσσήνιοί τινες εἶναι φάσκοντες
ἔπειτ’ ἀτελεῖς εἰσιν, ἄθροοι παμπληθεῖς ἄνθρωποι,
καὶ τινες ἄλλοι, δοῦλοι καὶ μαστιγῖαι, Λυκίδας
καὶ Διονύσιος, καὶ τοιούτους τινὰς ἐξειλεγμένοι.
ὑπὲρ δὴ τούτων ὠδὶ ποιήσαθ’, ὅταν ταῦτα
λέγωσιν· κελεύετ’, εἴπερ ἀληθῆ λέγουσι πρὸς
497 ὑμᾶς, τὰ ψηφίσματ’ ἐν οἷς ἀτελεῖς εἰσιν οὗτοι
δείξαι. οὐ γάρ ἐστ’ οὔδεις ἀτελῆς παρ’ ὑμῖν,
ὅτῳ μὴ ψήφισμ’ ἢ νόμος δέδωκε τὴν ἀτέλειαν.
πρόξενοι μέντοι πολλοὶ διὰ τῶν πολιτευομένων 132
γεγόνασιν παρ’ ὑμῖν τοιοῦτοι, ὧν εἷς ἐστὶν ὁ
Λυκίδας. ἀλλ’ ἕτερον πρόξενόν ἐστ’ εἶναι καὶ
ἀτέλειαν εὐρήσθαι. μὴ δὴ παραγόντων ὑμᾶς,
μηδ’ ὅτι δοῦλος ὧν ὁ Λυκίδας καὶ Διονύσιος καὶ
τις ἴσως ἄλλος διὰ τοὺς μισθοῦ τὰ τοιαῦτα
γράφοντας ἐτοίμως πρόξενοι γεγόνασιν, διὰ τοῦθ’
ἐτέρους ἀξίους καὶ ἐλευθέρους καὶ πολλῶν
ἀγαθῶν αἰτίους, ἃς ἔλαβον δικαίως παρ’ ὑμῶν
δωρεάς, ἀφελέσθαι ζητούντων. πῶς γὰρ οὐχὶ 133
καὶ κατὰ τοῦτο δεινότατ’ ἂν πεπονθὼς ὁ Χαβρίας
φανείη, εἰ μὴ μόνον ἐξαρκέσει τοῖς τὰ τοιαῦτα
πολιτευομένοις τὸν ἐκείνου δοῦλον Λυκίδα
πρόξενον ὑμέτερον πεποιηκέναι, ἀλλ’ εἰ καὶ διὰ
τούτον πάλιν τῶν ἐκείνῳ τι δοθέντων ἀφέλοινοτο,
καὶ ταῦτ’ αἰτίαν λέγοντες ψευδῆ; οὐ γάρ ἐστιν
οὔθ’ οὗτος οὔτ’ ἄλλος οὔδεις πρόξενος ὧν ἀτελής,
ὅτῳ μὴ διαρρήδην ἀτέλειαν ἔδωκεν ὁ δῆμος.

τούτοις δ' οὐκ ἔδωκεν, οὐδ' ἔξουσιν οὗτοι δεικνύναι, λόγῳ δ' ἂν ἀναισχυντῶσιν, οὐχὶ καλῶς ποιήσουσιν.

- 134 Ὁ τοίνυν μάλιστα πάντων οἶμαι δεῖν ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, φυλάξασθαι, τοῦτ' εἰπεῖν ἔτι βούλομαι. εἰ γάρ τις πάνθ', ὅσα Λεπτίνης ἐρεῖ περὶ τοῦ νόμου διδάσκων ὑμᾶς ὡς καλῶς κείται, συγχωρήσειεν ἀληθῆ λέγειν αὐτόν, ἐν γ' αἰσχρὸν οὐδ' ἂν εἴ τι γένοιτ' ἀναιρεθείη, ὃ συμβήσεται διὰ τοῦ νόμου κυρίου γενομένου τῇ πόλει. τί οὖν τοῦτ' ἐστίν; τὸ δοκεῖν ἐξηπατηκέναι
- 135 τοὺς ἀγαθὸν τι ποιήσαντας. ὅτι μὲν τοίνυν 498 τοῦθ' ἐν τι τῶν αἰσchrῶν ἐστίν, πάντας ἂν ἡγοῦμαι φῆσαι, ὅσῳ δ' ὑμῖν αἰσχίον τῶν ἄλλων, ἀκούσατέ μου. ἐστὶν ὑμῖν νόμος ἀρχαῖος, καλῶς τῶν δοκούντων ἔχειν, ἂν τις ὑποσχόμενός τι τὸν δῆμον ἐξαπατήσῃ, κρίνειν, κἂν ἀλῶ, θανάτῳ ζημιούν. εἴτ' οὐκ αἰσχύνεσθ', ὦ ἄνδρες Ἀθηναῖοι, εἰ ἐφ' ᾧ τοῖς ἄλλοις θάνατον ζημίαν ἐτάξατε, τοῦτ' αὐτοὶ ποιοῦντες φανήσεσθε; καὶ μὴν πάντα μὲν εὐλαβεῖσθαι δεῖ ποιεῖν τὰ δοκούντα καὶ ὄντ' αἰσchrά, μάλιστα δὲ ταῦτ', ἐφ' οἷς τοῖς ἄλλοις χαλεπῶς τις ἔχων ὀράται· οὐδὲ γὰρ ἀμφισβήτησις καταλείπεται τὸ μὴ ταῦτα ποιεῖν, ἃ πονήρ' αὐτὸς ἔκρινεν εἶναι πρότερον.
- 136 Ἐτι τοίνυν ὑμᾶς κάκεῖν' εὐλαβεῖσθαι δεῖ, ὅπως μηδέν, ὧν ἰδίᾳ φυλάξαισθ' ἂν, τοῦτο δημοσίᾳ ποιοῦντες φανήσεσθε. ὑμῶν τοίνυν οὐδ' ἂν εἰς οὐδέν ὧν ἰδίᾳ τινὶ δοίῃ, τοῦτ' ἀφέλοιτο πάλιν, ἀλλ' οὐδ' ἐπιχειρήσειεν ἂν. μὴ τοίνυν

μηδὲ δημοσίᾳ τοῦτο ποιήσητε, ἀλλὰ κελεύετε τούτους τοὺς ἐροῦντας ὑπὲρ τοῦ νόμου, εἴ τινα 137 τῶν εὐρημένων τὴν δωρεὰν ἀνάξιον εἶναί φασιν ἢ μὴ πεποιηκότ' ἐφ' οἷς εὔρετ' ἔχειν, ἢ ἄλλ' ὅτιοῦν ἐγκαλοῦσί τινι, γράφεσθαι κατὰ τὸν νόμον, ὃν παραιοσφύρομεν νῦν ἡμεῖς, ἢ θέντων ἡμῶν, ὥσπερ ἐγγνώμεθα καὶ φαρμέν θήσειν, ἢ θέντας αὐτούς, ὅταν πρῶτον γένωνται νομοθέται. ἐστὶ δ' ἐκάστω τις αὐτῶν, ὡς ἔοικεν, ἐχθρός, τῷ μὲν Διόφαντος, τῷ δ' Εὐβουλος, τῷ δ' ἴσως ἄλλος τις. εἰ δὲ τοῦτο φεύξονται καὶ μὴ θελήσουσι 138 ποιεῖν, σκοπεῖτ', ὦ ἄνδρες Ἀθηναῖοι, εἰ καλῶς 499 ὑμῖν ἔχει, ἃ τούτων ἕκαστος ὀκνεῖ τοὺς ἐχθροὺς ἀφαιρούμενος ὀφθῆναι, ταῦθ' ὑμᾶς τοὺς εὐεργέτας ἀφηρημένους φαίνεσθαι, καὶ τοὺς εὖ τι πεποιηκότας ὑμᾶς, οἷς οὐδεὶς ἂν ἐγκαλέσαι, νόμῳ τὰ δοθέντ' ἀπολωλεκέναι δι' ὑμῶν ἀθρόους, παρόν, εἴ τις ἄρ' ἐστὶν ἀνάξιος, εἰς ἢ δύο ἢ πλείους, γραφῇ διὰ τούτων ταῦτὸ τοῦτο παθεῖν κατ' ἄνδρα κριθέντας. ἐγὼ μὲν γὰρ οὐχ ὑπολαμβάνω ταῦτα καλῶς ἔχειν οὐδέ γ' ἀξίως ὑμῶν.

Καὶ μὴν οὐδ' ἐκείνου γ' ἀποστατέον τοῦ 139 λόγου, ὅτι τῆς μὲν ἀξίας, ὅτ' ἐδώκαμεν, ἦν δίκαιον τὴν ἐξέτασιν λαμβάνειν, ὅτε τούτων οὐδεὶς ἀντεῖπε, μετὰ ταῦτα δ' ἔαν, εἴ τι μὴ πεπόνθαθ' ὑπ' αὐτῶν ὕστερον κακόν. εἰ δ' οὗτοι τοῦτο φήσουσι (δείξαι μὲν γὰρ οὐκ ἔχουσιν), δεῖ κεκολασμένους αὐτοὺς παρὰ τὰδικήματα φαίνεσθαι. εἰ δὲ μηδενὸς ὄντος τοιούτου τὸν νόμον ποιήσετε κύριον, δόξετε φθονήσαντες, οὐχὶ

- 140 πονηροὺς λαβόντες ἀφηρῆσθαι. ἔστι δὲ πάντα μὲν ὡς ἔπος εἰπεῖν ὀνειδῆ φευκτέον, τοῦτο δὲ πάντων μάλιστ', ὧ ἄνδρες Ἀθηναῖοι. διὰ τί; ὅτι παντάπασι φύσεως κακίας σημεῖόν ἐστιν ὁ φθόνος, καὶ οὐκ ἔχει πρόφασιν, δι' ἣν ἂν τύχοι συγγνώμης ὁ τοῦτο πεπονθώς. εἴτα καὶ οὐδέν ἐστιν ὀνειδος, ὅτου πορρώτερον ἐστὶν ἡμῶν ἢ πόλις ἢ τοῦ φθονερά δοκεῖν εἶναι, ἀπάντων ἀπέχουσα τῶν αἰσχρῶν. τεκμήρια δ' ἡλίκα 141 τούτου θεωρήσατε. πρῶτον μὲν μόνοι τῶν πάντων ἀνθρώπων ἐπὶ τοῖς τελευτήσασι δημοσίᾳ ποιεῖτε λόγους ἐπιταφίους, ἐν οἷς κοσμεῖται τὰ 500 τῶν ἀγαθῶν ἀνδρῶν ἔγρα. καίτοι τοῦτ' ἐστὶ τὸ ἐπιτήδευμα ζηλούντων ἀρετῇ, οὐ τοῖς ἐπὶ ταύτῃ τιμωμένοις φθονούντων. εἴτα μεγίστας δίδοτ' ἐκ παντὸς τοῦ χρόνου δωρεὰς τοῖς τοὺς γυμνικοὺς νικῶσιν ἀγῶνας τοὺς στεφανίτας, καὶ οὐχ ὅτι τῇ φύσει τούτων ὀλίγοις μέτεστιν ἐφθονήσατε τοῖς ἔχουσιν, οὐδ' ἐλάττους ἐνείματε τὰς τιμὰς διὰ ταῦτα. πρὸς δὲ τούτοις τοιούτοις οὖσιν οὐδεὶς πώποτε τὴν πόλιν ἡμῶν εὖ ποιῶν δοκεῖ νικῆσαι, τοσαύτας ὑπερβολὰς τῶν δωρεῶν, αἷς 142 ἀντ' εὖ ποιεῖ, παρέσχηται. ἔστι τοίνυν πάντα ταῦτ', ὧ ἄνδρες Ἀθηναῖοι, δικαιοσύνης, ἀρετῆς, μεγαλοψυχίας ἐπιδείγματα. μὴ τοίνυν, δι' ἃ πάλαι παρὰ πάντα τὸν χρόνον ἢ πόλις εὐδοξεῖ, ταῦτ' ἀνέλητε νῦν, μηδ' ἵνα Λεπτίνης ἰδίᾳ τισίν, οἷς ἀηδῶς ἔχει, ἐπηρεάσῃ, τῆς πόλεως ἀφέλησθε καὶ ὑμῶν αὐτῶν ἦν διὰ παντὸς αἰὶ τοῦ χρόνου δόξαν κέκτησθε καλήν, μηδ' ὑπολαμβάνετ' εἶναι

τὸν ἀγῶνα τόνδ' ὑπὲρ ἄλλου τινὸς ἢ τοῦ τῆς πόλεως ἀξιώματος, πότερον αὐτὸ δεῖ σῶν εἶναι καὶ ὁμοιον τῷ προτέρῳ, ἢ μεθεστάναι καὶ λελυμάνθαι.

Πολλὰ δὲ θαυμάζων Λεπτίνου κατὰ τὸν νόμον 143 ἐν μάλιστα τεθαύμακα πάντων, εἰ κεῖν' ἡγνόηκεν, ὅτι ὥσπερ ἂν, εἴ τις μεγάλας τὰς τιμωρίας τῶν ἀδικημάτων τάττοι, οὐκ ἂν αὐτός γ' ἀδικεῖν παρεσκευάσθαι δόξαι, οὕτως, ἂν τις ἀναιρῇ τὰς τιμὰς τῶν εὐεργεσιῶν, οὐδὲν αὐτὸς ποιεῖν ἀγαθὸν παρεσκευάσθαι δόξει. εἰ μὲν τοίνυν ἡγνόησε ταῦτα (γένοιτο γὰρ ἂν καὶ τοῦτο), αὐτίκα δη- 501 λώσει· συγχωρήσεται γὰρ ὑμῖν λῦσαι, περὶ ὧν αὐτὸς ἤμαρτεν. εἰ δὲ φανήσεται σπουδάζων καὶ διατεινόμενος κύριον ποιεῖν τὸν νόμον, ἐγὼ μὲν οὐκ ἔχω πῶς ἐπαινέσω, ψέγειν δ' οὐ βούλομαι. μηδὲν οὖν φιλονεῖκει, Λεπτίνη, μηδὲ βιάζου 144 τοιούτου, δι' οὐ μήτ' αὐτὸς δόξεις βελτίων εἶναι μήθ' οἱ πεισθέντες σοι, ἄλλως τε καὶ γεγενημένου σοι τοῦ ἀγῶνος ἀκινδύνου. διὰ γὰρ τὸ τελευτῆσαι Βάθιππον τὸν τούτου πατέρ' Ἀψεφίωνος, ὃς αὐτὸν ἔτ' ὄνθ' ὑπεύθυνον ἐγράψατο, ἐξῆλθον οἱ χρόνοι, καὶ νυνὶ περὶ αὐτοῦ τοῦ νόμου πᾶς ἐστὶν ὁ λόγος, τούτῳ δ' οὐδεὶς ἐστὶ κίνδυνος.

Καίτοι καὶ τοῦτ' ἀκούω σε λέγειν, ὡς ἄρα 145 τρεῖς σέ τινες γραψάμενοι πρότεροι τοῦδε οὐκ ἐπεξῆλθον. εἰ μὲν τοίνυν ἐγκαλῶν αὐτοῖς λέγεις ὅτι σ' οὐ κατέστησαν εἰς κίνδυνον, φιλοκινδυνότατος πάντων ἀνθρώπων εἶ· εἰ δὲ τεκμήριον ποιεῖ τοῦ τὰ δίκαι' εἰρηκέναι, λίαν εὐθες ποιεῖς.

τί γὰρ εἵνεκα τούτου βελτίων ἔσθ' ὁ νόμος, εἴ τις ἢ τετελεύτηκε τῶν γραφασμένων πρὶν εἰσελθεῖν, ἢ πεισθεὶς ὑπὸ σοῦ διεγράψατο, ἢ καὶ ὅλως ὑπὸ σοῦ παρεσκευάσθη; ἀλλὰ ταῦτα μὲν οὐδὲ λέγειν καλόν.

- 146 "Ἡρηνται δὲ τῷ νόμῳ σύνδικοι καὶ μάλισθ' οἱ δεινοὶ λέγειν ἄνδρες, Λεωδάμας Ἀχαρνεὺς καὶ Ἀριστοφῶν Ἀζηνιεὺς καὶ Κηφισόδοτος ἐκ Κεραμέων καὶ Δεινίας Ἐρχιεὺς. ἃ δὴ πρὸς τούτους ὑπολαμβάνοιτ' ἂν εἰκότως, ἀκούσατε, καὶ σκοπεῖτ' ἂν ὑμῖν δίκαια φαίνεται. πρῶτον μὲν πρὸς Λεωδάμαντα. οὗτος ἐγράψατο τὴν Χαβρίου δωρεάν, ἐν ἣ τοῦτ' ἔνεστιν, τὸ τῆς ἀτελείας τῶν ἐκείνῳ τι δοθέντων, καὶ πρὸς ὑμᾶς εἰσελθὼν 502 ἡττήθη· οἱ νόμοι δ' οὐκ ἐώσι δις πρὸς τὸν αὐτὸν περὶ τῶν αὐτῶν οὔτε δίκας οὔτ' εὐθύνας οὔτε διαδικασίαν οὔτ' ἄλλο τοιοῦτον οὐδὲν εἶναι. χωρὶς δὲ τούτων ἀτοπώτατον ἂν πάντων συμβαίῃ, εἰ τότε μὲν τὰ Χαβρίου παρ' ὑμῖν ἔργα μείζον ἴσχυεν τῶν Λεωδάμαντος λόγων, ἐπειδὴ δὲ ταῦτά θ' ὑπάρχει καὶ τὰ τῶν ἄλλων εὐεργετῶν προσγέγονεν, τηνικαῦτα σύμπαντα ταῦτ' ἀσθενέ- 148 στερα τῶν τούτου λόγων γένοιτο. καὶ μὴν πρὸς γ' Ἀριστοφῶντα πολλὰ καὶ δίκαι' ἂν ἔχειν εἰπεῖν οἶμαι. οὗτος εὔρετο τὴν δωρεάν παρ' ὑμῖν, ἐν ἣ τοῦτ' ἐνῆν. καὶ οὐ τοῦτ' ἐπιτιμῶ· δεῖ γὰρ ἐφ' ὑμῖν εἶναι δίδόναι τὰ ὑμέτερ' αὐτῶν οἷς ἂν βούλησθε. ἀλλ' ἐκείνόν γ' οὐχὶ δίκαιον εἶναί φημι, τὸ ὅτε μὲν τούτῳ ταῦτ' ἔμελλεν ὑπάρχειν λαβόντι μηδὲν ἡγεῖσθαι δεινόν, ἐπειδὴ

δ' ἑτέροις δέδοται, τηνικαῦτ' ἀγανακτεῖν καὶ πείθειν ὑμᾶς ἀφελέσθαι. καὶ μὴν καὶ Γελάρχῳ 149 πέντε τάλαντ' ἀποδοῦναι γέγραφεν οὗτος ὡς παρασχόντι τοῖς ἐν Πειραιεῖ τοῦ δήμου, καὶ καλῶς ἐποίει. μὴ τοίνυν ἃ μὲν ἦν ἀμάρτυρα, ταῦτ' ἐπὶ τῇ τοῦ δήμου προφάσει διὰ σοῦ δεδόσθω, ὧν δ' αὐτὸς ὁ δῆμος μαρτυρίας ἔστησεν ἐν τοῖς ἱεροῖς ἀναγράφας καὶ πάντες συνίσασιν, ταῦτ' ἀφελέσθαι παραίνει, μὴδ' αὐτὸς φαίνου τά τ' ὀφειλόμεν' ὡς ἀποδοῦναι δεῖ γράφων, καὶ ἃ τις παρὰ τοῦ δήμου κεκόμισται, ταῦτ' ἀφελέσθαι παραινῶν. καὶ μὴν πρὸς γε Κηφισόδοτον το- 150 σοῦτον ἂν εἴποιμι. οὗτός ἐστιν οὐδενὸς ἡττον, ὧ ἄνδρες Ἀθηναῖοι, τῶν λεγόντων δεινὸς εἰπεῖν. πολὺ τοίνυν κάλλιον τῇ δεινότητι ταύτῃ χρῆσθαι 503 ἐπὶ τὸ τοὺς ἀδικοῦντας ὑμᾶς κολάζειν ἢ τοὺς ἀγαθοῦ τινος αἰτίους ἀδικεῖν, εἰ γὰρ ἀπεχθάνεσθαί τισι δεῖ, τοῖς ἀδικοῦσι τὸν δῆμον, οὐ τοῖς ἀγαθόν τι ποιοῦσιν ἔγωγε νομίζω δεῖν. πρὸς τοίνυν Δεινίαν· οὗτος ἴσως ἐρεῖ τριηραρχίας 151 αὐτοῦ καὶ λειτουργίας. ἐγὼ δ', εἰ πολλοῦ τῇ πόλει Δεινίας ἄξιον αὐτὸν παρέσχηκεν, ὡς ἔμοιγε δοκεῖ νῆ τοὺς θεοὺς, μᾶλλον ἂν παραινεῖσαιμ' αὐτῷ τινα τιμὴν ὑμᾶς ἀξιοῦν δοῦναι ἢ τὰς ἑτέροις πρότερον δοθείσας ἀφελέσθαι κελεύειν· πολὺ γὰρ βελτίονος ἀνδρός ἐστιν ἐφ' οἷς αὐτὸς εὖ πεποίηκεν ἀξιοῦν τιμᾶσθαι ἢ ἐφ' οἷς ἕτεροι 152 ποιήσαντες ἐτιμήθησαν φθονεῖν. ὁ δὲ δὴ μέγι- στον ἀπάντων καὶ κοινὸν ὑπάρχει κατὰ πάντων τῶν συνδίκων· τούτων πολλάκις εἰς ἕκαστος

πρότερόν τισι πράγμασι σύνδικος γέγονεν. ἔστι δὲ καὶ μάλ' ἔχων νόμος ὑμῖν καλῶς, οὐκ ἐπὶ τούτοις τεθείς, ἀλλ' ἵνα μὴ τὸ πρᾶγμ' ὥσπερ ἐργασία τισὶν ἢ καὶ συκοφαντία, μὴ ἐξεῖναι ὑπὸ τοῦ δήμου χειροτονηθέντα πλεῖν ἢ ἅπαξ συν-
 153 δικῆσαι. τοὺς δὴ συνεροῦντας νόμῳ καὶ διδάξοντας ὑμᾶς ὡς ἐπιτήδειός ἐστιν, αὐτοὺς τοῖς ὑπάρχουσι νόμοις δεῖ πειθομένους φαίνεσθαι· εἰ δὲ μή, γελοῖον νόμῳ μὲν συνδικεῖν, νόμον δ' αὐτοὺς παραβαίνειν ἕτερον. ἀνάγνωθι λαβὼν τὸν νόμον αὐτοῖς, ὃν λέγω.

ΝΟΜΟΣ.

Οὗτος, ὦ ἄνδρες Ἀθηναῖοι, καὶ παλαιός ἐσθ' ὁ νόμος καὶ καλῶς ἔχων, ὃν, ἐὰν σωφρονῶσι, φυλάσσονται παραβαίνειν οὗτοι.
 154 Ἐγὼ δ' ἔτι μικρὰ πρὸς ὑμᾶς εἰπὼν καταβήσομαι. ἔστι γάρ, ὦ ἄνδρες Ἀθηναῖοι, πάντας μὲν τοὺς νόμους ὑμῖν, ὡς ἐγὼ νομίζω, σπουδαστέον 504 ὡς κάλλιστ' ἔχειν, μάλιστα δὲ τούτους, δι' ὧν ἢ μικρὰν ἢ μεγάλην ἔστ' εἶναι τὴν πόλιν. εἰσὶ δ' οὗτοι τίνες; οἳ τε τοῖς ἀγαθόν τι ποιοῦσι τὰς τιμὰς διδόντες καὶ οἱ τοῖς τὰναντία πράττουσι τὰς τιμωρίας. εἰ γὰρ ἅπαντες ὡς ἀληθῶς τὰς ἐν τοῖς νόμοις ζημίας φοβούμενοι τοῦ κακόν τι ποιεῖν ἀποσταῖεν καὶ πάντες τὰς ἐπὶ ταῖς εὐεργεσίαις δωρεὰς ζηλώσαντες ἂν χρηὴ πράττειν προέλοιντο, τί κωλύει μεγίστην εἶναι τὴν πόλιν καὶ πάντας χρηστοὺς καὶ μηδέν' εἶναι πονηρόν;
 155 Ὁ τοίνυν νόμος οὗτος ὁ Λεπτίνου οὐ μόνον, ὦ

ἄνδρες Ἀθηναῖοι, τοῦτ' ἀδικεῖ, ὅτι τὰς τιμὰς ἀναιρῶν τῶν εὐεργεσιῶν ἀχρεῖον τὴν ἐπιείκειαν τοῖς φιλοτιμεῖσθαι βουλομένοις καθίστησιν, ἀλλ' ὅτι καὶ παρανοίας δόξαν αἰσχίστην τῇ πόλει καταλείπει. ἴστε γὰρ δήπου τοῦθ', ὅτι τῶν τὰ δεινόταθ' ἡμᾶς ἀδικούντων ἐν ἐκάστῳ τίμημ' ὑπάρχει διὰ τὸν νόμον, ὃς διαρρήδην λέγει “μηδὲ τίμημα ὑπάρχειν ἐπὶ κρίσει πλεῖν ἢ ἐν, ὁπότερον ἂν τὸ δικαστήριον τιμήσῃ, παθεῖν ἢ ἀποτίσαι, ἀμφότερα δὲ μὴ ἐξέστω.” ἀλλ' οὐχ 156 οὗτος ἐχρήσατο τούτῳ τῷ μέτρῳ, ἀλλ' ἐὰν τις ἀπαιτήσῃ χάριν ὑμᾶς, “ἄτιμος ἔστω” φησί “καὶ ἡ οὐσία δημοσία ἔστω.” δύο τιμήματα ταῦτα. “εἶναι δὲ καὶ ἐνδείξεις καὶ ἀπαγωγὰς· ἐὰν δ' ἀλῶ, ἔνοχος ἔστω τῷ νόμῳ, ὃς κεῖται, ἐὰν τις ὀφείλων ἄρχῃ τῷ δημοσίῳ.” θάνατον λέγει· τοῦτο γὰρ ἐστ' ἐπ' ἐκείνῳ τὸ ἐπιτίμιον. οὐκοῦν τρία τιμήματα ταῦτα. πῶς οὖν οὐ σχέτλιον καὶ δεινόν, ὦ ἄνδρες Ἀθηναῖοι, εἰ χαλεπώτερον εἶναι 505 παρ' ὑμῖν δόξει χάριν εὖ ποιήσαντ' ἀπαιτεῖν ἢ τὰ δεινότατ' ἐργαζόμενον ληφθῆναι;

Αἰσχρός, ὦ ἄνδρες Ἀθηναῖοι, καὶ κακῶς ἔχων 157 ὁ νόμος καὶ ὁμοιος φθόνῳ τινὶ καὶ φιλονεικίᾳ καὶ —τὸ λοιπὸν ἐῷ· τοιούτοις δέ τισι προσέοικεν ὁ γράφων χρῆσθαι. ὑμῖν δ' οὐχὶ πρέπει τὰ τοιαῦτα μιμεῖσθαι, οὐδ' ἀνάξια φαίνεσθαι φρονούντας ὑμῶν αὐτῶν. φέρε γὰρ πρὸς Διός, τί μάλιστ' ἂν ἀπενυξαίμεθα πάντες, καὶ τί μάλιστ' ἐν ἅπασι διεσπούδασται τοῖς νόμοις; ὅπως μὴ γενήσονται οἱ περὶ ἀλλήλους φόνοι, περὶ ὧν ἐξαίρετος ἡ

158 βουλὴ φύλαξ ἢ ἐν Ἀρείῳ πάγῳ τέτακται. ἐν
τοίνυν τοῖς περὶ τούτων νόμοις ὁ Δράκων φοβερὸν
κατασκευάζων καὶ δεινὸν τό τιν' αὐτόχειρ' ἄλλον
ἄλλου γίγνεσθαι, καὶ γράφων χέρνιβος εἵργεσθαι
τὸν ἀνδροφόνον, σπονδῶν, κρατήρων, ἱερῶν, ἀγο-
ρᾶς, πάντα τᾶλλα διελθὼν οἷς μάλιστ' ἂν τινὰς
ᾤετ' ἐπισχεῖν τοῦ τοιοῦτόν τι ποιεῖν, ὅμως οὐκ
ἀφείλετο τὴν τοῦ δικαίου τάξιν, ἀλλ' ἔθηκεν ἐφ'
οἷς ἐξεῖναι ἀποκτινύναι, καὶ οὕτω τις δράσῃ,
καθαρὸν διώρισεν εἶναι. εἴτ' ἀποκτεῖναι μὲν
δικαίως ἐν γε τοῖς παρ' ἡμῖν νόμοις ἐξέσται,
χάριν δ' ἀπαιτεῖν οὔτε δικαίως οὔθ' ὅπως οὖν διὰ
159 τὸν τούτου νόμον; μηδαμῶς, ὦ ἄνδρες Ἀθηναῖοι·
μὴ βούλεσθε δοκεῖν πλείω πεποιεῖσθαι σπουδὴν,
ὅπως μηδενὶ τῶν εὖ τι ποιούντων ὑμᾶς χάριν
ἐξέσται κομίσασθαι ἢ ὅπως μηδεὶς φόνος ἐν τῇ
πόλει γενήσεται, ἀλλ' ἀναμνησθέντες τῶν καιρῶν,
παρ' οὓς εὖ πεπονθότες εὖ πεποιήκατε τοὺς
εὐρομένους, καὶ τῆς Δημοφάντου στήλης, περὶ ἧς
εἶπεν Φορμίων, ἐν ᾗ γέγραπται καὶ ὁμώμοται, ἂν
τις ἀμύνων τι πάθῃ τῇ δημοκρατίᾳ, τὰς αὐτὰς 506
δώσειν δωρεὰς ἄσπερ Ἀρμοδίῳ καὶ Ἀριστογείτονι,
καταψηφίσασθε τοῦ νόμου. οὐ γὰρ ἔνεστ' εὐορ-
κεῖν, εἰ μὴ τοῦτο ποιήσετε.

160 Παρὰ πάντα δὲ ταῦτ' ἐκεῖν' ἔτ' ἀκούσατέ μου.
οὐκ ἔνι τοῦτον ἔχειν καλῶς τὸν νόμον, ὃς περὶ
τῶν παρεληλυθότων καὶ τῶν μελλόντων ταῦτ' αὐτὰ
λέγει. “μηδένα εἶναι” φησὶν “ἀτελῆ πλὴν τῶν
ἀφ' Ἀρμοδίου καὶ Ἀριστογείτονος.” καλῶς.
“μηδὲ τὸ λοιπὸν ἐξεῖναι δοῦναι.” μὴδ' ἂν

τοιοῦτοί τινες γένωνται, Λεπτίνῃ; εἰ τὰ πρὸ τοῦ
κατεμέμφου, τί, μὴ καὶ τὰ μέλλοντ' ᾗδεις; ὅτι 161
νῇ Δία πόρρω τοῦ τι τοιοῦτον ἐλπίζειν νῦν
ἐσμέν. καὶ εἴημέν γ', ὦ ἄνδρες Ἀθηναῖοι. ἀλλὰ
χρὴ γ' ἀνθρώπους ὄντας τοιαῦτα καὶ λέγειν καὶ
νομοθετεῖν, οἷς μηδεὶς ἂν νεμεσήσῃ, καὶ τὰγαθὰ
μὲν προσδοκᾶν καὶ τοῖς θεοῖς εὐχεσθαι διδόναι,
πάντα δ' ἀνθρώπων ἡγεῖσθαι. οὐδὲ γὰρ ἂν
Λακεδαιμόνιοί ποτ' ἤλπισαν εἰς τοιαῦτα πράγματ'
ἀφίξεσθαι, οὐδέ γ' ἴσως Συρακόσιοι τὸ πάλαι
δημοκρατούμενοι καὶ φόρους Καρχηδονίους πρατ-
τόμενοι καὶ πάντων τῶν περὶ αὐτοὺς ἄρχοντες
καὶ ναυμαχίᾳ νενικηκότες ἡμᾶς ὑφ' ἐνὸς γραμμα-
τέως, ὃς ὑπηρέτης ἦν, ὥς φασι, τυραννήσεσθαι.
οὐδέ γ' ὁ νῦν ὢν Διονύσιος ἤλπισεν ἂν ποτ' ἴσως 162
πλοίῳ στρογγύλῳ καὶ στρατιώταις ὀλίγοις Δίῳν
ἐλθόντ' ἐφ' αὐτὸν ἐκβαλεῖν τὸν τριήρεις πολλὰς
καὶ ξένους καὶ πόλεις κεκτημένον. ἀλλ' οἶμαι,
τὸ μέλλον ἄδηλον πᾶσιν ἀνθρώποις, καὶ μικροὶ
καιροὶ μεγάλων πραγμάτων αἵτιοι γίνονται.
διὸ δεῖ μετριάζειν ἐν ταῖς εὐπραξίαις καὶ προ-
ορωμένους τὸ μέλλον φαίνεσθαι.

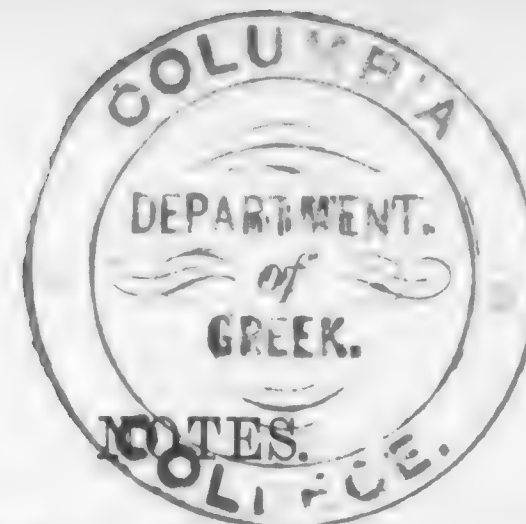
507 Πολλὰ δ' ἂν τις ἔχοι λέγειν ἔτι καὶ διεξιέναι 163
περὶ τοῦ μηδαμῇ μηδὲ καθ' ἐν τούτον ἔχειν καλῶς
τὸν νόμον, μηδὲ συμφέρειν ὑμῖν· ἀλλ' ἵν' ἐν
κεφαλαίῳ τοῦτο μάθητε, καὶ γὰρ παύσωμαι λέγων,
τάδε ποιήσατε. σκέψασθε παρ' ἄλληλα καὶ
λογίσασθε πρὸς ὑμᾶς αὐτούς, τί συμβήσεται
καταψηφισαμένοις ὑμῖν τοῦ νόμου καὶ τί μή,
εἴτα φυλάττετε καὶ μέμνησθε, ἂν ὑμῖν ἐξ ἐκατέρου

- 164 φανῇ, ἵν' ἔλῃσθε τὰ κρείττω. ἂν μὲν τοίνυν καταψηφίσσησθε, ὥσπερ ἡμεῖς κελεύομεν, οἱ μὲν ἄξιοι παρ' ὑμῶν τὰ δίκαι' ἔξουσιν, εἰ δέ τις ἐστὶν ἀνάξιος, ὥς ἔστω, πρὸς τῷ τὴν δωρεὰν ἀφαιρεθῆναι δίκην ἣν ἂν ὑμῖν δοκῇ δώσει κατὰ τὸν παρεισενηγεμένον νόμον, ἢ δὲ πόλις πιστὴ, δικάια, πρὸς ἅπαντας ἀψευδὴς φανήσεται. ἐὰν δ' ἀποψηφίσσησθε, ὃ μὴ ποιήσητε, οἱ μὲν χρηστοὶ διὰ τοὺς φαύλους ἀδικήσονται, οἱ δ' ἀνάξιοι συμφορᾶς ἐτέροις αἵτιοι γενήσονται, δίκην δ' οὐδ' ἡντινοῦν αὐτοὶ δώσουσιν, ἢ δὲ πόλις τὰναντί' ὧν εἶπον ἀρτίως δόξει ἄπιστος, φθονερά,
- 165 φαύλη παρὰ πᾶσιν εἶναι. οὐκ οὖν ἄξιον, ὧ ἄνδρες Ἀθηναῖοι, τοσαύτην βλασφημίαν ἀντὶ καλῶν καὶ προσηκόντων ὑμῖν ἀγαθῶν ἐλέσθαι. καὶ γὰρ ἕκαστος ὑμῶν ἰδίᾳ μεθέξει τῆς δόξης τῶν κοινῇ γνωσθέντων. οὐ γὰρ ἄγνοεῖ τοῦτ' οὐδεὶς οὔτε τῶν περιεστηκότων οὔτε τῶν ἄλλων, ὅτι ἐν μὲν τῷ δικαστηρίῳ Λεπτίνης πρὸς ἡμᾶς ἀγωνίζεται, ἐν δὲ τῇ τῶν καθημένων ὑμῶν ἐνὸς ἐκάστου γνώμη φιλανθρωπία πρὸς φθόνον καὶ δικαιοσύνη πρὸς κακίαν καὶ πάντα τὰ χρηστὰ πρὸς τὰ
- 166 πονηρότατ' ἀντιτάττεται. ὧν τοῖς βελτίοσι πειθόμενοι, καὶ κατὰ ταῦθ' ἡμῖν θέμενοι τὴν 508 ψῆφον, αὐτοὶ θ' ἂν προσήκει δόξετ' ἐγνωκέναι, καὶ τῇ πόλει τὰ κράτιστ' ἔσεσθ' ἐψηφισμένοι, καὶ τις ἄρ' ἔλθῃ ποτὲ καιρός, οὐκ ἀπορήσετε τῶν ἐβελησόντων ὑπὲρ ὑμῶν κινδυνεύειν. ὑπὲρ οὖν τούτων ἀπάντων οἶμαι δεῖν ὑμᾶς σπουδάζειν καὶ προσέχειν τὸν νοῦν, ὅπως μὴ βιασθῇθ' ἀμαρτάνειν.

πολλὰ γὰρ ὑμεῖς, ὧ ἄνδρες Ἀθηναῖοι, πολλάκις οὐκ ἐδιδάχθηθ' ὥς ἔστι δίκαια, ἀλλ' ἀφηρέθηθ' ὑπὸ τῆς τῶν λεγόντων κραυγῆς καὶ βίας καὶ ἀναισχυντίας. ὃ μὴ πάθητε νῦν· οὐ γὰρ ἄξιον. 167 ἀλλ' ἂν δίκαι' ἐγνώκατε, ταῦτα φυλάξατε καὶ μνημονεύετε, ἕως ἂν ψηφίσσησθε, ἵν' εὖορκον θῇσθε τὴν ψῆφον κατὰ τῶν τὰ πονηρὰ συμβουλευόντων. θαυμάζω δ' ἔγωγ' εἰ τοῖς μὲν τὸ νόμισμα διαφθείρουσι θάνατος παρ' ὑμῖν ἐστὶν ἢ ζημία, τοῖς δ' ὅλην τὴν πόλιν κίβδηλον καὶ ἄπιστον ποιούσι λόγον δώσετε. οὐ δὴπου γ', ὧ Ζεῦ καὶ θεοί.

Οὐκ οἶδ' ὅ τι δεῖ πλείω λέγειν· οἶμαι γὰρ ὑμᾶς οὐδὲν ἀγνοεῖν τῶν εἰρημένων.





P. 1, § 1. Ἄνδρες δικασταί. The abrupt beginning of this speech, plunging at once into the subject without any introductory remarks, is probably due to the fact that it was immediately preceded by Phormio's speech on the same side.

λελύσθαι. The perfect tense of an action yet in the future, seems to mark the conviction of Demosthenes that his demands could not be resisted, and that the repeal of the law was absolutely certain. Cp. § 28.

τοῦ παιδὸς τοῦ Χαβρίου. It is remarkable that Demosthenes never names Ctesippus, probably because the sympathy of the jury would be more readily excited by the memory of Chabrias than by the name of an undistinguished youth like his son.

τούτοις . . . συνερεῖν, 'to support the cause of Ctesippus and Apsephion.' συνερεῖν, because the actual parties to a suit opened the pleadings on their own behalf, though probably only in a formal manner, leaving the real advocacy of their cause to their συνήγοροι.

κἂν τις ἄλλος. See § 146.

εὐρομένους ἀτέλειαν, 'having managed to secure exemption for themselves.' So § 15, τῶν εὐρισκομένων τὰς δωρεάς.

τὰς λειτουργίας. See Excursus I.

τούτῳ πλείστῳ κτλ., 'will lay the greatest stress on this argument.' Demosthenes, on the other hand, postpones the consideration of the expediency of the law, as being his weakest point.

§ 2. κατηγοροῦντα agrees with a suppressed τινά; 'that a man, because he has an accusation to bring against some individuals, should seek to deprive all of their privileges.'

τῶν ἀδίκων, partitive genitive, 'is to be classed among deeds of injustice.'

εἴρηται. Sc. by Phormio.

εἰ τὰ μάλιστα, 'if it were ever so true that.'

ὑμᾶς τε καὶ τούτους. By thus intimating that Leptines virtually classed the jury with the misdoers, Demosthenes ingeniously enlists the former on his side.

ὑμᾶς . . . ἐξείναι. ὑμᾶς is here antithetical to τοὺς ἔχοντας. 'Those who were exempt he deprived of their exemption, you, who had the power to confer it, he deprived of this power for the future.'

οὓς ἔχοντας. The MS. reading is τοὺς ἔχοντας, with which either ἀφείλετο or ἐνόμιζεν must be superfluous. The alteration in the text, which is due to Westermann, is less violent than striking out either verb, and gives a fuller sense. 'He considered those unworthy whom he deprived of the privilege which they possessed.'

P. 2, § 3. οὕτως ἐθηκε, 'he framed his law in these terms.' θεῖναι νόμον is said either of a statesman framing a law to be laid before the people, or of an absolute monarch imposing a law upon his subjects; the action in either case being that of a single individual, working for others: θεσθαί νόμον, of a legislative body, passing a law by mutual agreement, which shall bind themselves as well as their fellow-citizens.

ἀφηρησθαι is taken by some editors to be passive, as ἀφαιρεθῆναι in § 4. But, except in the first aorist and future passive, the verb is generally middle in Demosthenes, and always in this speech: and the perfect is unquestionably used in a middle sense in §§ 40, 117. Here it may equally well be 'what prevents him from having taken away from you?'

ἐφ' ὅτου. Another reading is ἐφ' ὅτῳ, but the sense is nearly the same in either case. 'There is no part of your whole constitution in respect of which,' or (ἐφ' ὅτῳ) 'in which you have not been subjected to this.'

ἐξαπατηθέντες. The liability of the Athenian democracy to be carried away by the impulse of the moment, owing to the persuasive eloquence of plausible speeches, is a frequent topic both with the orators and in comedy: and they were sufficiently conscious of their own weakness to pass severe laws against any who attempted to deceive them. See §§ 100, 135.

ἐν οἷμαι πολλοῖς. The order is noticeable, but equally

admissible in English. 'In, I think, many of your transactions.' Cp. Plat. Rep., p. 564 A, ἐξ οἷμαι τῆς ἀκροτάτης ἐλευθερίας.

§ 4. προβουλεύειν . . . χειροτονεῖν. The technical words for passing a προβούλευμα and a ψήφισμα respectively.

τὸ κυρίους ἡμᾶς εἶναι, sc. τῆς δωρεᾶς, as in § 5.

§ 5. αὐτὸ καθ' αὐτό, 'should look at the question on its own merits.'

ἐξαπατηθέντας τι, 'being here and there deceived.'

ἀκύρους, 'deprived of all power to act in the matter;' a rare use of the word, which generally is applied to things, in the sense of 'invalid.' This sense, however, equally follows from its opposition to κύριος.

ἐκ τοῦ . . . δίδοναι, 'from offering,' rather than 'from giving,' which would be ἐκ τοῦ δοῦναι.

§ 6. δι' ἐκεῖνο, sc. εὐροῖτ' ἂν ἐκεῖνο μᾶλλον λυσιτελοῦν. His new reason is a yet more cogent one, that you cannot refuse to requite a benefit without baseness, which is infinitely worse than the simplicity shown in being deceived.

εἶναι is not opposed to δοκεῖν, but dependent on it. 'It is better to have the reputation of being simple than of being base.'

P. 3, § 7. καταμεμφόμενον, agreeing with τινά, as in § 2.

τοὺς χρησίμους ὄντας, 'those who render service to the State.' In §§ 115, 116, οἱ χρησίμοι and οἱ χρηστοὶ are again practically identified, but the two words imply different points of view; men are χρηστοὶ as being excellent in themselves, χρησίμοι as being useful to their country.

τὸν τούτων λόγον, 'the representations of Leptines and his adherents.'

§ 8. μὴ οὐχί. Both negatives are redundant, the idea of denial being fully given in ἀντεῖποι. But it is usual in Greek to insert μὴ after verbs of prohibition and denial, and to add οὐ in combination with it when these verbs are themselves negated. Both μὴ and οὐ are reflections of preceding negatives,

μὴ reflecting the negative notion of the verb, οὐ the negative particle which is prefixed to it.

ἐνιαυτὸν διαλιπὼν. See Excursus I., § 9.

τὸν ἡμισυν . . τοῦ χρόνου. Probably for τὸν ἡμισυν χρόνον τοῦ χρόνου. Cp. Thuc. viii. 48, ὁ πλέων τοῦ στρατοῦ. Hdt. i. 24, τὸν πολλὸν τοῦ χρόνου.

εἶτα . . ἀφελώμεθα, 'are we to take away from those who have done us good service that second half of this exemption which we have given them over and above what all possess?' ἀφελώμεθα is the deliberative conjunctive. ἤ, sc. ἤ ἀτελείας, implied in the preceding ἀτελής.

ἄλλως, 'on general grounds.'

§ 9. κατὰ μὲν τὴν ἀγοράν. This clause is introduced by the figure called παράταξις, merely for the sake of its contrast with the co-ordinate clause introduced by δέ, without any real dependence of meaning on the principal clause. There was nothing disgraceful in a law forbidding falsehood in mercantile transactions, but its existence heightened the disgrace incurred by the city in proving false to its engagements. μὲν and δέ in such sentences may generally be best rendered by 'whilst' and 'yet.'

ἐφ' οἷς belongs to εἴ τις ψεύδεται, 'through any falsehood in which matters.'

τὴν αὐτὴν ἐπιτάξασαν = ἥτις αὐτὴ ἐπέταξεν, αὐτὴν being here the emphatic personal pronoun.

καὶ ταῦτα, sc. ποιῆσαι, as we say, 'and this too.'

§ 10. εἰ καὶ δόξαν, sc. μὴ ἀπόλλυτε, 'whether you do not lose reputation, as well as money.'

κίνδυνον ἐξέστησαν, a construction κατὰ σύνεσιν, ἐκστῆναι being practically equivalent to φυγεῖν, and so taking an accusative.

ταύτην, sc. τὴν δόξαν.

P. 4, § 11. οἱ τριάκοντα. The thirty tyrants, from whose tyranny, in B.C. 404, Thrasybulus and the leaders of the constitutional party took refuge in the Peiraeus.

εἰς ἐν ἦλθεν κτλ., 'when unity was restored in the State and those troubles were settled.'

§ 12. λόγων δὲ γιγνομένων. This probably refers to a debate in the ἐκκλησία, in which the constitutional party were for making the adherents of the thirty tyrants bear the burden of the loan, whilst the others maintained that it should be looked on as a national debt. τοῦτο is explained afterwards by κοινῇ διαλῦσαι τὰ χρήματα.

ὑπὲρ τοῦ μὴ ψεύσασθαι, 'in support of the principle of keeping faith.'

ἠθελήσατε. The second person marks the orator's sense of the unity of the Athenian people in successive generations, as few if any of his hearers would have taken part in the deliberations of nearly fifty years ago.

οὐκ ἀξιῶ, 'I think it an unworthy policy.'

P. 5, § 13. ἐπ' ἄλλων πολλῶν, 'in many other points of view.'

οὐδὲ λέγω κτλ., 'nor do I allege any crime against him, nor am I privy to anything of the sort.'

πολὺ τούτου κεχωρισμένον. The reserve of the orator is here very noticeable. He will not say anything against his opponent's character generally (τὰ ἄλλα), and even when he criticises it from the evidence afforded by the law, he will not abuse it, but only says that it is very widely different from that of the State.

§ 14. δοκεῖν is omitted in some MSS., and seems to convey an unnecessary sneer, as though Leptines could not be brought into real harmony of feeling with the State. The antithesis, however, between δοκεῖν and εἶναι was so much affected by the Greek writers as to be often introduced when its propriety and good taste seem questionable to us.

τὸ ἦθος, the limiting accusative, 'in character.'

§ 15. παρὰ τῶν δῆμων, 'given by democratic governments.' This seems better than the other reading παρὰ τοῦ δήμου, as making the sentence the expression of a general sentiment, instead of limiting it to the case of the Athenian people.

τῇ μὲν γὰρ χρεία, 'for it is by the material advantage bestowed on the recipients that tyrants can chiefly confer their favours;'

as contrasted with the honour and security attaching to the gifts of a free people. In other words, the tyrant can do much more for his favourite for the moment, but as he acts from caprice, his gifts confer no real distinction, and are liable to be arbitrarily withdrawn.

P. 6, § 16. *ισηγορία*, the condition in which all have an equal right to speak before the people, is continually used as synonymous with *ἐλευθερία*.

τῶν καλῶν, neuter. Cp. § 2, *τῶν ἀδίκων ἐστι*.

ἐκόντων, perhaps 'without reluctance,' since all admiration must be voluntary, in the strict sense of the word.

τὸν γοῦν ἄλλον χρόνον, 'till now, at any rate.' *ὁ ἄλλος χρόνος*, as opposed to *ὁ λοιπὸς χρόνος*, is rarely used of future time; by Demosthenes perhaps only in the speech against Androtion, p. 594, 2, *τουτοῖσι πειράσσομαι καὶ νῦν καὶ τὸν ἄλλον ἅπαντα ἀμύνεσθαι χρόνον*.

§ 17. *καίτοι τῶν ἀπασῶν κτλ.*, literally, 'and yet from whatever State throughout the world you take away the right of those who are loyal to be treated with the gratitude they deserve, you will be found herein to have taken away no small guarantee for their general security.' *αὐτῶν* represents *τῶν πολιτειῶν*, and *ταύτην* is *τὸ τοῖς ἐθνοῖς κομίζεσθαι χάριν*, its gender being due to attraction into that of the predicate *φυλακὴν*.

§ 18. *τάχα . . ἴσως* are not exactly synonymous, but may be rendered, 'perhaps Leptines might be likely to attempt.'

ἀπάγων, 'in the endeavour to put you off the scent.'

οὕτως μὲν ἀκοῦσαι κτλ., 'if put in this way have some show of reason.' The infinitive in such limiting propositions is more generally introduced by *ὥς*, as in the common expression *ὥς εἰπεῖν*. So Plat. Euthyphro, p. 3 B, *ὥς οὕτω γ' ἀκοῦσαι*. But Cp. Plat. Phileb. p. 12 C, *ἐστὶ γὰρ, ἀκούειν μὲν οὕτως, ἀπλῶς ἐν τι*.

αἱ πολιτικά, 'the State burdens imposed on citizens,' as opposed to those devolving on the resident aliens (*μέτοικοι*). These latter not only paid an annual tax to the treasury (*μετοίκιον*), but were also subject to the *εἰσφορά*, or war tax upon property, and under certain limitations to the *ἐγκύκλιοι λειτουργίαι*. See Excursus I., § 10.

τοῖς εὐρημένοις, 'for those who have earned it.' This use of the (so-called) perfect passive in a middle sense, though found in early writers, is much more frequent in Attic of the period of Demosthenes.

εἰσφορῶν καὶ τριηραρχιῶν, these being the special burdens imposed on the Athenians in times of war. See Excursus I., §§ 1, 6.

οὗς οὗτος ἔγραψε, sc. *ἀτελεῖς εἶναι*, Leptines not having ventured to interfere with the time-honoured privileges enjoyed by the descendants of Harmodius and Aristogeiton. These two, though their plot was unsuccessful, were always considered to have taken the first step in securing the freedom of Athens, by the assassination of Hipparchus, B.C. 514.

τοὺς ἀφ' Ἀρμοδίου. In strict grammar this should be the nominative, being parallel to *οὐδεὶς*; but such an attraction of an antecedent into the case of a relative which precedes and explains it is common in Greek, and is even found in Latin.

§ 19. *χορηγούς*. This word, properly applied to the man who had the charge and defrayed the expense of a chorus in the theatre, is commonly used, as here, in a wider sense, for one who bore the expense of any ordinary *λειτουργία*, the word *λειτουργὸς* not being classical.

εἰς ἐκείνας, sc. those that admit of *ἀτέλεια*.

εἰσποιεῖ . . ἀφήσει. The only subject which will suit both these verbs is *ὁ νόμος*, since Leptines, who would be the natural subject of *εἰσποιεῖ*, could scarcely be said to set any free from contributions (*ἀφείναι*) by his law being repealed. Wolf takes *ἀφήσει* in a forced sense, 'how many will he let free from his grasp?'

τριηραρχοῦντες, 'in virtue of their serving the trierarchy.'

ἀεὶ is taken by Wolf as going with *τριηραρχοῦντες*, 'inasmuch as they are perpetually trierarchs;' but it is much more natural to combine it with what follows, 'enjoy perpetual exemption.'

ἐλάττω τῶν ἱκανῶν, 'less than the amount (three talents) which renders them liable to any *λειτουργία*.'

προσέσται. From these two classes we shall gain no new contributor, the one being exempt in virtue of undertaking the higher burdens, the other being too poor to be called upon at

all. The intermediate class may furnish some sixteen in all, who are now exempt, or, to put it at an extreme figure, say thirty.

P. 7, § 20. μὴ τοιοῦτον εἶναι τοῦτο, 'that my estimate is false.'

ἐκ τριηραρχίας, 'in virtue of having been trierarchs.' The case that Demosthenes supposes is apparently that of a year following one in which no triremes had been required, so that no one could claim exemption on that ground. In that case the law of Leptines would set free for ordinary λειτουργίαι, out of the whole number of persons who had so escaped the trierarchy, those only who had before his law enjoyed exemption, and these, Demosthenes says, could scarcely be so many as five or six.

οὐδὲ πολλοὺ δεῖ. The negative in the interposed clause seems here to affect the whole sentence. 'The advantage gained will not appear to compensate for the disgrace which will accrue, no, nor anything like it.' Wolf would place the comma after οὐδέ, making it directly negative the whole sentence, but such a position would be quite intolerable. The expression itself is elliptical, ἀλλὰ παντὸς being apparently understood after οὐδὲ πολλοὺ δεῖ, 'nor does it need only much, but everything, to make it so.'

§ 21. τῶν ξένων, i.e. τῶν μετοίκων.

τῶν γε πολιτῶν, of the citizens that would satisfy the conditions specified in the note on § 20.

οὐκοῦν . . ἑκκαίδεκα. He makes his computation as though he had put his five or six as an extreme number, instead of denying that there were so many.

§ 22. τριάκοντα . . πλείους. The best MS. has ἡ πλείους, but thirty had already been taken as an extreme estimate, and to allow an indefinite extension of this would vitiate the whole argument.

παρὰ πάντα τὸν χρόνον, 'for the whole period that comes under consideration.' The thirty additional contributors would not be serving in any one year, in which case the relief would have been very material, but would only take their turns with the rest, so that in any given year the effect would scarcely be appreciable.

ἀπίστως rarely has a passive sense, as here; but cp. Plat. Apol., 26 E, ἀπιστος εἰ σαυτῷ.

ἄνπερ ἡ πόλις ᾗ, 'if the State continues to exist,' i.e. the same fortune which preserves the State will secure to it a sufficiency of loyal citizens, but their loyalty will be bereft of its present enthusiasm. Westermann points out that it was not till the next century that there was ever an actual deficiency of χορηγοί.

P. 8, § 23. τὰ μάλιστα, 'to ever so great an extent.'

εἰς συντέλειαν ἀγαγεῖν, 'to make the χορηγία, like the trierarchy, a matter of joint contribution.' See Excursus I., § 7.

τούτων, 'of these εὐεργέται, whom Leptines would bring under contribution.'

δίδωσι τὴν ἀνάπαυσιν αὐτοῖς, 'gives as their promised respite to those formerly liable to contribute.' The only relief that he can give to the mass of λειτουργοῦντες is such postponement of their turn as is caused by the introduction of a few more names upon the roster. As soon as these have served, μετὰ ταῦτα, the burden falls upon the old contributors as before.

γυγνομένης. The present tense marks that under the system of συντέλειαι suggested by Demosthenes (τότε δέ), the contribution would be continuous, year after year, though the smallness of its amount would cause it to be less felt than the greater burden coming at intervals. The comparison with the trierarchy is not quite exact, as Demosthenes evidently proposes to leave the exemptions in the case of the χορηγία, whereas they were suspended in the case of the trierarchy.

§ 24. ὥστ' ἐπιχειροῦσι. The indicative is used rather than the infinitive, because emphasis is laid on the fact that men actually make the attempt, rather than on this fact being the result of their folly. The complaint they make is that while the city is absolutely poor, some people, through their exemptions, will become rich. Demosthenes' answer is that the poverty of the State would not be relieved by the removal of the exemptions, inasmuch as the expense from which the ἀτελεῖς are free had never been thrown upon the public treasury.

ἐπιλημμένοι, 'having laid grasping hands upon exemption.'

ὑφηρεύμενον, 'as the proceeds of embezzlement.' The accusative depends on ἔχειν, easily to be supplied from the preceding ἔχει.

§ 25. οὐδέν. Except, indeed, so far as they would set other funds free for the service of the State in other ways.

δυοῖν ἀγαθοῖν. Dindorf unnecessarily inserts *δνταιν*, from a correction in the best MS., arising apparently from not seeing that the genitive is partitive. Of two possible blessings—money and credit—the city is rich in the latter, but deficient in the former.

πρὸς ἅπαντας, 'in the face of all men,' *πρὸς* with the accusative marking that they can meet the gaze of any one without being convicted of ill faith.

μάλιστα μὲν, 'if possible,' 'as the best thing that could occur.' The following *καί* is emphatic, 'money as well as reputation.'

τό γε πιστοῖς κτλ. The construction is *διαμεῖναι ἡμῖν τό γε πιστοῖς καὶ βεβαίοις δοκεῖν εἶναι*, 'that we should never cease to have the reputation of being faithful and steadfast.' Cp. § 6, note.

P. 9, § 26. ἀναπαυομένους τινάς, viz. the ἀτελεῖς, whom Leptines would force into the minor *λειτουργίαι*, thus preventing them from accumulating sufficient property for the adequate performance of the trierarchy.

εἰς δέον ὑμῖν γιγνομένης, 'become a matter of some consequence to you.' So § 41, *εἰς δέον νῦν γέγονεν αὐτῷ*.

οὐδεὶς ἐστ' ἀτελής. Cp. § 18.

ὁ πολλὰ κεκτημένος, 'this man you speak of as having amassed such riches.'

παρὰ μὲν γὰρ κτλ., 'as one follows the course of the expenditure,' and so 'corresponding to it:' cause and effect being looked upon as proceeding in two parallel lines. Demosthenes shows the greater importance of the extraordinary *λειτουργίαι* in three respects: 1. from the higher object which they have in view, viz. the safety of the State as compared with the gratification of the senses; 2. from the permanence of the former, whereas the latter is but for a day; 3. from their affecting the whole mass of the citizens, instead of merely the spectators at a theatre, or those present at a feast.

§ 27. ἐνθάδε . . ἑκεῖ, 'what you give with one hand you receive back into the other.'

ταῦτα, the exemption from the minor *λειτουργίαι*, which those who were rich enough to be trierarchs enjoyed without any special grant (*καὶ μὴ λαβοῦσι*).

ἀναγνώσεται, sc. ὁ γραμματεὺς, whose duty it was to read all documents referred to during the trial. While he did so, the waterclock was stopped, the time so expended not being reckoned in the space allotted to the speakers.

λέγε, 'let us hear,' whether by reading or quotation, whereas ἀναγνῶναι implies necessarily the former.

τοῦτ' αὐτό, 'just this passage;' Demosthenes probably here pointing out to the clerk the exact portion which he wished to have read. The authenticity of the passage quoted, as in so many similar instances, is very doubtful, the clause being suspiciously short, and only such as might have been put together from the subsequent remarks of Demosthenes.

§ 28. διέρηκεν, 'has expressly enacted.' Dindorf has adopted a conjecture of Dobree's *διήρηκεν* ('has defined') here and in the only other passages where this part of the verb is found; adv. Aristocr., p. 644, 5; in Pantaen., p. 976, 27. Similarly in § 34 and elsewhere he alters *διειρήσθαι* into *διηρήσθαι*, but the alterations appear to be unnecessary.

οἱ ἐφικνούμενοι, 'those who advance to the income that subjects them to the trierarchy.' Demosthenes means those who, by being exempted from the lesser *λειτουργίαι*, find their property increase till it brings them under liability for the more serious one.

τοῖς πολλοῖς, 'to the general mass of the people.'

μίας ἢ δυοῖν φυλαῖν. The commentators seem generally to take this as meaning one choregus for each tribe, or each two tribes; i.e. ten or five altogether in each year. Such a strange interpretation of the words seems, however, to be foreign to the meaning of the passage, which is simple enough if they are taken in their natural signification. Demosthenes had said that of citizens, who alone would count as tribesmen, five or six at the most would be brought under contribution by the law of Leptines. Allowing for the ordinary intervals in the incidence of the burden, these may reasonably be represented as giving one or two each year, i.e. 'one new choregus in some one or possibly two of the tribes,' in the place of some one or two others whom the law of Leptines would thus practically exempt.

ἀπαλλάσσεται. So Cobet for the MS. reading **ἀπαλλάσσεται**, 'will be at once set free from further liability:' *i.e.* each new contributor must not be reckoned every year, so as to set another poorer man absolutely free. At best the burden will only be deferred, and that in an insignificant degree.

λελύσθαι. See on § 1.

παρὰ τοῖσδε, 'before these judges:' *i.e.* by the verdict in the present trial.

P. 10, § 29. γεγράφθαι . . περιλαμβάνειν. The change from the passive construction in the earlier clauses of the sentence to the active in those which follow is noticeable, but need cause no difficulty. Either **τὸν νόμον** or **Λεπτίνην** can easily be supplied as a subject to **περιλαμβάνειν** and **διορίζειν**.

τῶν ἰσοτελῶν. The **ἰσοτελεῖς** were naturalised aliens, with uncertain, and perhaps varying privileges. They were exempt from the **μετοίκιον**, or tax on resident aliens, and could plead in the courts without a **προστάτης**; but it has been thought that they were not admitted to the **ἐκκλησία**.

ἐν μὲν τῷ μηδένα, *sc.* **γράφειν**, 'in his using the word **μηδένα**.' So below, **ἐν τῷ τῶν ξένων**, 'when he says **τῶν ξένων**.' **Περιλαμβάνειν** and **διορίζειν** are construed with **διὰ τὸ** above.

§ 30. τῇ παρ' ὑμῶν ποιήσει, 'by your making him so.' Leucon, the son of Satyrus, was king of the Cimmerian Bosphorus from B.C. 393 to B.C. 353. Theodosia (§ 33) on the south coast of the Crimea, now Kaffa, was a conquest of his own.

τὴν ἀτέλειαν. The mere fact of his not living at Athens would have saved him from the liability to **λειτουργίαι**, had he not always had property in the city, which exposed him to the offer of an **ἀντίδοσις**. See Excursus I., § 11.

καὶ ταῦτα, *sc.* **εἰ ποιεῖ**, 'and indeed he confers upon us just those benefits of which our city especially stands in need.' Wolf maintaining that **ταῦτα** stands for **κατὰ ταῦτα**, practically accommodates the Greek to the English construction, 'and this too just in the points of which the city most needs help.' But **ταῦτ' εἰ ποιεῖ ἡμᾶς** is quite idiomatic Greek.

P. 11, § 31. ἵστε γὰρ δήπου κτλ. The exceptional amount of corn imported into Athens was rendered necessary, on the one hand, by the poverty of the soil (**τὸ λεπτογέων**, Thuc. i. 2),

on the other, by the unusually large population crowded into a small area. The statement of its importance is nowhere else so explicitly made as in this passage, but it is confirmed by the general testimony of ancient writers.

πρὸς ἅπαντα. **Πρὸς** here means 'matched against,' 'brought up to for purposes of comparison;' and so 'equal to in point of magnitude.' Cp. de Symm., p. 185, 3, **ἐν ταύτῃ (τῇ πόλει) χρήματ' ἐνεστὶν ὀλίγου δέω πρὸς πάσας τὰς ἄλλας εἰπεῖν πόλεις**.

ἀτέλειαν, 'freedom from export duties,' which other states had to pay at the rate of $3\frac{1}{2}$ per cent on the value of the cargo.

§ 32. περὶ τετταράκοντα. **Περὶ** is here adverbial, like 'circiter.' Cp. in Eubul., p. 1302, 1, **ἦν περὶ ἐξηκοστών**.

παρὰ τοῖς σιτοφύλαξιν. The **σιτοφύλακες** formed a board of fifteen officers, whose chief duties were to watch the sales of corn in the market. We nowhere else hear of their keeping a register of the imports of corn; but as five of their number were specially told off for duty at the Peiraeus, it was probably on these that this function devolved.

τὰς τριάκοντα . . τὰς δέκα, the forty myriads being thus divided for convenience of calculation.

ὥσπερ ἀνεί, 'in round numbers,' the odd $333\frac{1}{3}$ bushels being of no importance to the argument.

§ 33. τοσούτου τοίνυν δεῖ κτλ. Demosthenes introduces the further boon conferred by Leucon in this form, in order to place his conduct in the strongest possible contrast to that of Leptines.

τοῦ Βοσπόρου. Bosphorus, here evidently a city or seaport, is probably the same as Panticapaeum, the modern Kertsch, about 60 or 70 miles farther north than Theodosia.

πόλλ' ἂν ἔχων εἰπεῖν, 'though I might have much to say, if it so pleased me;' **ἂν** pointing to a suppressed condition, on which the action of **ἔχων** would follow.

ὥστε . . προσπεριγενέσθαι, 'so that there was a surplus, after all our wants were supplied, to the extent of 15 talents of silver.' This probably means that Callisthenes sold the surplus corn, either for the benefit of the treasury, or perhaps as Leucon's agent, and realised an amount which would be nearly £4000 of our money.

P. 12, § 34. τί οὖν οἰεσθε . . . τοῦτον. It seems simplest to understand with this ποιήσειν; 'what think you Leucon will do?' though Schaefer understands the construction to be one of a double accusative after οἰεσθε, 'what think you about Leucon?' Cp. Xen. Anab., 5, 7, 26, τοὺτους τί δοκεῖτε.

μεταδόξῃ, impersonal, 'not even if your opinion change.'

ψηφισαμένους agrees with the subject of δοῦναι, ἐξεῖναι ὑμῖν ὑμᾶς δοῦναι. We should rather have expected it to agree with the object of ἐξεῖναι, but the accusative marks more emphatically the close connection of the participle with δοῦναι, 'to give by your vote.' Cp. Hdt., ix. 78, καὶ τοὶ θεοὶ παρέδωκε ῥυσάμενον τὴν Ἑλλάδα κλέος καταθέσθαι μέγιστον.

κύριος ἂν γένηται. The expression shows that a law in respect of which a γραφή παρανόμων was brought after it was passed, was looked upon as again in suspense; and required as it were to be passed a second time rather than merely not to be annulled.

§ 35. οἷς, attracted from the accusative of cognate signification into the case of its antecedent.

ἐξαλείψαι, 'to wipe off from the statute-book.'

αὐτοῖς, 'to the jury.'

§ 36. στήλας ἀντιγράφους, 'pillars with identical inscriptions.'

ἐφ' Ἱερῷ. Hierum was situated at the mouth of the Euxine, and was noted for a temple of Zeus, which was said to have been founded by the Argonauts.

§ 37. ἄλλο τι . . . ἐστάναι, 'mean anything else by standing where they do.'

ἐστώσας, 'while they still stand;' the perfect of ἵστημι having a present force.

πεποιηκότες, sc. φανεῖσθε.

ἐστήξουσιν. This future perfect active is rare, and only found in verbs whose perfect has a present sense. Cp. τεθνήξω, κεκλήγξω, κεχαρήσω.

P. 13, § 38. ὡς ἡμᾶς. ὡς as a preposition is used only with persons, or with names of places used for their inhabitants. See Jelf, § 626.

τὸ ψήφισμα, 'the answer,' which would be duly laid before the assembly before it was sent.

§ 39. τινὲς ἴσως φαῦλοι. Wolf sees in this an allusion to the special baseness of those who proposed to deprive Leucon of his immunities, but it is probably general in its reference. Leucon had given his exemption to all the Athenians without exception, and it was hardly likely that there were no black sheep among them.

§ 40. οὐκ ἀντιδώσει κτλ., 'how can you ensure that some one will not claim an ἀντίδοσις from Leucon?' See on § 30.

ἐπ' αὐτ' ἔλθῃ, 'make a set upon it.'

ἔστι δ' οὐ κτλ. This clause is added to make it clear that Leucon would not view the matter in a sordid spirit, as merely involving the loss of so much money, but would consider it as an insult offered by the Athenian people.

§ 41. εἰς δέον κτλ. See on § 26.

τότε, 'when he was in prosperity.'

θαυμάσι' ἤλικα, by attraction for θαυμάσιόν ἐστιν ἤλικα, 'ever so marvellous an amount.' See Jelf, § 823, obs. 7.

παρὰ τοιοῦτον καιρόν, 'during the pressure of such a crisis,' the accusative with παρὰ marking the continuance of the crisis which called for such a boon, not the moment at which it was conferred.

P. 14, § 42. τοῦτο, 'the decree which I hold in my hands.'

τοῖς ἀλούσιν. These were the prisoners taken at the disastrous conclusion of the Sicilian expedition, fifty-nine years before this speech was delivered, so that Epicerdes, if still alive, must now have been in extreme old age. In § 46 Demosthenes represents his sons as the actual sufferers from the law of Leptines, but this would not be inconsistent with Epicerdes himself being still alive, especially if we adopt the view of the scholiast, that the sons had removed to Athens, and so brought themselves within the reach of the λειτουργίαι, while the father was at Cyrene.

μνᾶς ἑκατόν = 1½ talent, or about £400.

αἰτιώτατος ἐγένετο, 'contributed more than any one else.'

πρὸ τῶν τριάκοντα. The reference is to what is commonly known as the Δεκελειὸς πόλεμος (cp. de Cor., p. 258, 13), in which Athens was distressed by the operations of the Lacedæmonians, consequent on the fortification of Deceleia, B.C. 413.

αὐτὸς ἐπαγγελάμενος, 'having made the offer of himself,' 'of his own accord.'

§ 43. ἥτις ποτὲ κτλ., 'whatever that was likely to be.'

τοὺς . . κικρατηκότας, sc. the Syracusans, among whom he was living at the time.

ἐτέραν χρεῖαν ἰδὼν, 'when he saw a second emergency.' In strict grammar these words should have followed εἰ, but they are placed in immediate connection with δεύτερον, as marking the occasion on which he performed his second service to the State.

διδούς, 'offering,' the present marking the spontaneous nature of the act.

σώσει. The mood and tense of the oratio recta are retained for greater vividness.

§ 44. παρὰ καιρὸς, 'throughout the period of the greatest emergencies.'

κοινὰ κτλ., 'treating the possession of his property as though it were the public property of the people of Athens.'

οὔση χρώμενος, 'he never seems to have made use of it while it existed.' The present participles mark the continued period during which he possessed and did not avail himself of the privilege, and therefore throw no light on the question whether Epicerdes was still alive. The reason why he never took advantage of his immunity would seem to be simply that he had never lived at Athens, and therefore never could have been called upon to perform a λειτουργία.

καὶ θεωρεῖτε. We frequently find, after the clerk had been called upon to read some document, short appeals of this kind made to the audience, probably with the view of preventing an awkward pause whilst he was finding his place. The substance

of this clause is not without difficulty, as this is only the second case and second decree quoted by Demosthenes, so that ὅσα ψηφίσματα, ὅσους ἀνθρώπους seem rather exaggerated expressions. He may, however, be referring also to other examples already quoted by Phormio in the πρωτολογία. Dobree thinks that he is rather anticipating the other examples which he himself is intending to adduce.

P. 15, § 45. ἐκ τῶν ψηφισμάτων. Yet he had only called upon the clerk to read one ψήφισμα. Schaefer thinks that the order to read a second has dropped out; and we should have expected naturally to find two, referring to the two occasions on which Epicerdes displayed his liberality.

§ 46. οἱ προυπάρχοντες τῷ ποιεῖν εὖ. If this means, as it is commonly interpreted, 'who take the initiative in doing good,' we should expect τοῦ ποιεῖν εὖ, and no parallel is cited for such a use of the dative. But it is more probably, 'who were there first,' 'who preoccupied the ground by doing good:' προυπάρχειν being used absolutely, and τῷ ποιεῖν being the instrumental dative.

παρὰ τὰς χρεῖας, 'so as to meet the several emergencies.' παρὰ gives the idea that the benefits conferred, and the evils which they were intended to remedy, were running in two parallel lines.

τούτων, 'of the benefits conferred by Epicerdes.'

§ 47. τὸ δαινόν, 'the very evil of which I complain.'

ἄξια τούτων, 'benefits that deserved such a return;' equivalent to ἄξια τῆς ἀτελείας in § 123. The accusative after εὖ πάσχειν is found again in § 119, μεγάλ' εὖ παθόντες.

ὥς ἀναξίων, 'as from unworthy recipients.' ἀναξίων is perhaps neuter, the good actions themselves been looked upon as the recipients of the privilege which it was proposed to take away from them; and this would place it in more direct antithesis to the preceding ἄξια. But whether masculine or neuter, it is certainly dependent on ἀφαιρησόμεθα, not a genitive absolute, as though it were ὥς ἀναξίων ὄντων.

P. 16, § 48. τῶν . . καταλυσάντων. The oligarchy of the 400, under Peisander and Antiphon, was established at the close of B.C. 412, and was put down in about four months,

mainly through the efforts of Thrasybulus and Thrasyllus, aided by Alcibiades.

δτ' ἔφευγεν ὁ δῆμος. This was seven years later, in B.C. 404, under the oppression of the thirty tyrants. The democratical party was restored in B.C. 403, under Thrasybulus.

§ 49. τοιούτου τινός, 'any such benefactor.'

ταῦτα μὲν, 'that it may indeed be so.'

οἰκεῖν is here intransitive, 'that think they are safely administered.' Cp. Plat. Rep., p. 462 D, τοῦ τοιούτου ἐγγύτατα ἢ ἀριστα πολιτευομένη πόλις οἰκεῖ.

οὐ γὰρ ἂν κτλ., 'for we should not have seen the position of affairs continually shifting in one direction or the other;' the imperfect marking repeated occurrence.

πάντ' ἐξητασμένα . . πάντ' ἀμελούμενα, 'general carefulness,' and 'general want of care.' ταῦτα is inserted with the latter to obviate the necessity of repeating πράξεις χρησταί κτλ.

ὑπέρρει has been here taken to be factitive, 'caused to go to ruin,' like the simple verb in Eur. Hec. 528,

ἔρρει χειρὶ παῖς Ἀχιλλέως
χοῶς θανόντι πατρί,

and like the Latin 'ruo.' It is simpler, however, as Wolf has pointed out, to make the accusative depend on the notion of flowing under, undermining; 'had not the general neglect of all these things been continually undermining their position.'

§ 50. μηδενὸς is probably neuter, 'thinking nothing too trivial to deserve attention.'

μὴ πάθῃτε . . μὴδ' οἴεσθε, 'do not expose yourself to this calamity, but give up the idea.' μὴ in prohibitions is used either with the present imperative, bidding the persons addressed cease from some line of conduct, or with the aorist subjunctive, forbidding some definite act in the future. Cp. Soph. O. C., 735, ὃν μήτ' ὀκνεῖτε, μήτ' ἀφῆτ' ἔπος κακόν.

εἰάν τί τι συμβῇ, 'if anything should happen;' a familiar euphemism to avoid words of evil omen.

§ 51. τοὺς ἰδίᾳ γνόντας, 'those who determined as individuals.'

ἐπὶ τοῦ πρὸς Λακεδαιμονίους πολέμου. This is probably not the Peloponnesian war, but that which began in B.C. 395—the year of the great battle mentioned below—and ended with the peace of Antalcidas, B.C. 387.

ἀ συμφέροι, being quite general, = τὰ συμφέροντα, is not affected by the preceding past tense.

στέρονται, 'are exiles from their country,' this form of the word always marking a condition, as distinguished from στεροῦνται, 'are deprived of their country.'

P. 17, § 52. ἡ μεγάλη μάχη. The battle of Corinth, in July B.C. 395, was disastrous to the Athenians, who were routed with great loss by the Lacedæmonians under Aristodemus; though the defeat of their allies in other parts of the field deprived the Spartans of any important results from their victory.

τῶν ἐν τῇ πόλει, the oligarchical party, who gained the ascendancy through the defeat of the democratical soldiers in the battle; but were not able to carry matters so entirely their own way as to exclude the routed Athenians (τοὺς στρατιώτας) from the shelter of their city.

§ 53. ἀπάντων Πελοποννησίων. From these must be deducted the Argives, of whom 7000 fought on the Athenian side.

εἰσέφρουν. Εἰσφρέω, a derivative from εἰσφέρω, is used by Demosthenes exclusively in a sense which never attaches to the simple verb, of 'admitting a party within the city.'

§ 54. ἡ ἐπ' Ανταλκίδου, 'concluded on the authority of Antalcidas.' Cp. Thuc., v. 18, τὸν φόρον τὸν ἐπ' Ἀριστείδου.

ἐξέπεσον. In a political sense ἐκπίπτω is regularly used as though it were a passive corresponding to ἐκβάλλω, and so here has even a passive construction with the agent.

πρῶτον κτλ., 'to begin with, the very report is disgraceful in the ears of those who hear it.' πρῶτον has nothing to answer to it, perhaps owing to the interruption caused by the ψήφισμα.

τοῖς σκοποῦμένοις is the *dativus ethicus*. It seems impossible here to draw any distinction between the middle and the immediately preceding active voice.

προσῆκει, 'their natural course is.' Other people might have doubted; Athenians were false to their principles if they had

not long ago made up their minds. *προσθήκει* differs from *χρῆ* as implying that the obligation rests on something in the character of the person bound.

P. 18, § 55. *ἰδών*. There is a difficulty in the subdivision of *ἰδών*, which follows, into knowledge from personal presence and knowledge from the testimony of another; but what Demosthenes means is to put the case of a man whose knowledge of the period was derived from an eyewitness, whether it was himself or another. *διεξιόντος* stands in the relation of a predicate to *εἰδότης*.

ἀκούσαι. So perhaps for the sake of variety in place of the more usual *ἀκούσεις*, found in the previous section.

ὅς' ἂν εὐξαίμεθα, 'all that we should pray for, were we given our choice,' *ἂν* pointing to some such further condition, and not merely marking the indefinite relative, in which usage it is never found with the optative, unless in the oratio obliqua.

τεθείκαμεν. The active is perhaps here used to mark that such a law befits a despotic legislator, rather than a deliberative assembly. See on § 3.

§ 56. *ἀνάξιοι γάρ*. The position of the *γάρ* is owing to the fact that *νῇ Δία* virtually gives the substance of the supposed answer of Leptines. 'Aye, by Zeus, we have passed the law indeed, because, etc.'

παρὰ πάντ' ἔσται κτλ., 'will run through the whole of their argument.'

ἔπειτα κτλ., 'in that case, if we adopt their reasoning, we shall acknowledge that we ignore this fact.'

χρόνῳ παμπληθεῖ, 'in fulness of time.'

ἐξ ἀρχῆς, 'in the first instance.'

§ 57. *νόμοις . . καὶ δόξαις*, 'by general principles and by such opinions as one can form,' such alliances being made between men who are likely to be useful to each other in the future; whereas a city, in apportioning its rewards, acts from consideration of performance in the past.

γένει, 'considerations of family,' which naturally enter largely into the determination of marriages and private contracts of various sorts.

ὅταν . . δέη, sc. are we, before receiving a favour, to shut our eyes to the character of the person proposing to confer it, and only to consider this when any blot in it may be made an excuse for declining to repay the boon?

P. 19, § 58. *Ἀλλὰ νῇ Δία*, like the Latin 'at enim,' introduces a supposed objection for the purpose of answering it.

οὔτοι . . περὶ τούτων. Westermann points out that these pronouns can only refer to the Corinthians, the cases of Leucon and Epicerdes having been finally dismissed at the beginning of § 51.

διὰ τὸν νόμον here is nearly equivalent to *διὰ τοῦ νόμου*, but is still rather, 'in virtue of the law,' 'owing to its existence,' than 'through its operation.'

§ 59. *τοῦτο μὲν*, 'in the first place,' answered by *τοῦτο δέ* in § 60.

Θασίους. The service referred to was in B.C. 409.

§ 60. *Βυζάντιον*. In B.C. 390. Thrasybulus was enabled to change the government of Byzantium from an oligarchy to a democracy, but the part played by Archebius and Heracleides is only mentioned here.

τὴν δεκάτην ἀποδόσθαι, 'farmed out your dues,' consisting of a tithe of the value of the cargoes carried by each passing ship. Demosthenes maintains that the money thus raised made the Athenians rich enough to exact their own terms from the Lacedæmonians in making peace. The reference is probably to the peace of Antalcidas, in B.C. 387, by which the Athenians recovered possession of the islands of Lemnos, Imbros, and Scyros; but the terms of the peace generally were more in the interests of Sparta.

ὧν, sc. Archebius and Heracleides, the date and circumstances of whose exile are unknown.

προξενίαν, 'the right of being received as a guest by the State;' corresponding to *ξενία* as existing between individuals.

εὐεργεσίαν, 'the privileges of one who was recognised as a public benefactor.'

P. 20, § 61. *ἂν . . δῶτε . . ἀντιλέγοιεν*. The change from *ἂν* with the subjunctive to the optative (with which *εἰ* must

be supplied from *ἀν*), marks that the grant of the privilege would be the normal consequence of the service, the objection to the grant exceptional. 'If you should proceed to give, . . . and then Leptines or any of his friends were to object, etc.'

§ 62. *μόνοι τῶν ἄλλων μετοίκων*, as distinguished from the other aliens.'

πῶς ἂν ἔχοιτε, 'what would be your attitude towards men who used such arguments?'

ἀν . . . ἡγοῖσθε . . . ἀκούσεσθε. The difference of construction is due to the fact that *ἀκούσεσθε* expresses what is practically certain, 'if ye are going to listen to men when they put forward such arguments;'; *ἀν ἡγοῖσθε* is conditional, 'if, on hearing such arguments, ye would look on the man who urged them as a sycophant.' *εἰ* with respect to both verbs is conditional only in form, being used for *ὅτι* by a common Attic euphemism, to avoid directly attributing what was disgraceful even to an opponent. For the construction, cp. § 133, *εἰ μὴ μόνον ἐξαρκέσει . . . ἀλλ' εἰ καὶ ἀφέλονται*.

ἐπὶ τῷ ἀφελίσθαι, 'when the question is whether you should take away, etc.'

§ 63. *τῷ ποτ' ἐπαρθέντες*, 'under what incitement.'

πότερον . . . ἔδει σε, κτλ. Leptines would have been doing a real service to the State if he had persuaded her enemies to adopt the policy which he urged upon herself, and so discouraged those who gained the favour of her foes by injuring her, instead of depriving her own benefactors of their due reward.

μὴ . . . γένωμαι, 'that I may not wander from my subject.'

P. 21, § 64. *κυρίας ἔαν*, 'to leave them in full force.' Reiske would supply *εἶναι*, but *ἔαν* is not unfrequently used with the simple accusative, as in § 66, *τὰ δοθέντ' ἐώντας*.

ἀντ' εὖ πεποίηκεν. The tmesis, which is not uncommon in the expressions *ἀντ' εὖ ποιεῖν*, *ἀντὶ κακῶς ποιεῖν*, is due to the fact that *εὖ ποιεῖν* and *κακῶς ποιεῖν* so entirely coalesce as to be looked on in the light of compound verbs, capable of further composition with *ἀντί*. Westermann even writes *ἀντευπεποίηκεν* as a single word.

§ 65. *τὰς συμφοράς*, such as the expulsion of the democratical party from Corinth by the Lacedæmonians, § 54.

καὶ δὴ, nearly equivalent to *ἤδη*, 'already actually recalled.'

§ 66. *ἤρμωτε*. The verb is used without *ἀν*, as commonly in such expressions, because the appropriateness was an accomplished fact, though it did not bring about the desired result.

τῶν ἀτυχημάτων ἀφαιρεῖν . . . τὰς δωρεὰς ἀφαιρεῖσθαι, 'to rescue them from their misfortunes' . . . 'to withdraw their privileges.' The active expresses the action as bearing solely on its object; while the middle marks the advantage accruing to the actors. The genitive is used in the former case, because separation from the disaster is the idea to be expressed; the double accusative in the latter, because the gifts resumed are themselves as much a direct object of *ἀφαιρεῖσθαι* as the persons despoiled. With the active voice either the person or the thing can be expressed in the accusative, but not both.

P. 22, § 67. *καὶ ἄνδρας ἀρίστους κτλ.*, 'and that men of the greatest excellence, and benefactors of the State in the greatest numbers, are found among the citizens.' The difficulty which seems to have given rise to the various readings *πιστοὺς* and *πολιτείας* for *πλείστους* and *πολίτας*, consists in *πλείστους* being attached to *εὐεργέτας* rather than *πολίτας*. Both the other readings are unsatisfactory in themselves; and Demosthenes seems to have been led away by the somewhat strained antithesis between *ἀρίστους* and *πλείστους*.

§ 68. *μετὰ τὴν τοῦ δήμου κάθοδον*. See §§ 11, 12, notes.

ναὺν οὐδεμίαν, ἰ.ε. no ship of war.

στρατηγῶν βασιλεῖ. At the battle of Cnidus, in B.C. 394, the bulk of Conon's fleet consisted of Persian ships, and most of the Greek contingent seems to have been furnished by Evagoras of Salamis in Cyprus, so that at all events there is not much exaggeration in Demosthenes saying that 'he had no resources whatever provided by Athens.'

ἀφορμὴ would include men, ships, and all other requisites for carrying on the war.

τοὺς ἄρμοστὰς, the oligarchical governors established by the Spartans in the several cities at the close of the Peloponnesian war.

§ 69. ἐκείνῳ μὲν φιλοτιμία κτλ., 'a fair ground for boasting in him if we consider its bearing on yourselves, in you, if we look to the general body of the Greeks.' It raised the reputation of the Athenians in Greece, of Conon even among Athenians.

τοῖς ἄλλοις, sc. Ἕλλησι.

πρώτου. There is here a slight admixture of constructions. It would have been natural to say εἰκόνα ἔστησαν αὐτοῦ πρώτου μεθ' Ἀρμόδιον καὶ Ἀριστογείτονα, or αὐτοῦ ὥσπερ Ἀρμόδιον καὶ Ἀριστογείτονος, but neither of these would have quite brought out at once the comparison with the two heroes, and the fact that no one else had hitherto shared this honour with them.

καὶ τοῦτον, 'Conon too,' showing in this his resemblance to Harmodius and Aristogeiton.

P. 23, § 71. τοῦτο, 'this part of your honours,' viz. the ἀτέλεια.

ἀφαιριθήσεται, see on § 3.

§ 72. τούτων, 'all your estimate of his services.'

§ 73. Θεμιστοκλῆς. The restoration of the walls after the Persian invasion was completed in B.C. 478. The story is told at length by Thucydides, i. 90.

ἂν ἀφικνῆται. The construction of the *oratio recta* is retained for the sake of vividness. So τειχίζουσιν, and the present tense of the infinitives.

P. 24, § 74. φθόνῳ, 'with jealousy;' probably anticipated from the unwillingness to compare a hero of recent times with one whose superiority was so sealed by age as that of Themistocles.

ἂν ἀληθὲς ᾖ, 'whether it be true;' which could only be determined by looking at the question without bias.

τὸ φανερώς τοῦ λάθρα, sc. πράττειν ὁτιοῦν.

παράκρουσάμενους. Demosthenes takes an unfair advantage of the prejudice against underhand dealing, which does not really apply to stratagems such as that of Themistocles. The invidious word παράκρουσάμενους, 'by deceit,' is unfairly used of a justifiable act of State policy; but it serves to magnify Conon by the implied depreciation of Themistocles.

τῶν διδασκόντων, 'who will impress on you,' when their turn comes to speak in defence of the law of Leptines.

§ 75. τὸν παῖδα τοῦ Χαβρίου. See on § 1.

σπουδαῖος, 'a worthy man.' The word is commonly used in Greek philosophy as an adjective corresponding to ἀρετή, which has no adjective etymologically connected with it.

§ 76. ὑμᾶς ἔχων, 'with a force of Athenian citizens,' as opposed to the Persian armament with which Conon gained his victory at Cnidus. Wolf takes ὑμᾶς ἔχων as though it were ὑμᾶς μόνους, but this is inconsistent with the facts of the case. The allusion is to the expedition sent to the aid of Thebes in B.C. 378, when Agesilaus was expelled without a battle by the firm attitude of the troops of Chabrias, who awaited the charge which Agesilaus dared not complete, with their shields resting on their knees, and their spears extended in front of them. This posture, which was first used on this occasion, was afterwards chosen for a statue voted to Chabrias by the Athenian people.

Γοργώπαν . . ἐν Κύπρῳ. In B.C. 388 Chabrias was sent to Cyprus, to aid Evagoras. On the way he touched at Ægina, where a squadron of Spartan ships, under the vice-admiral Gorgopas, had been doing great mischief, expelling an Athenian garrison, and damaging Athenian commerce. Chabrias defeated the Spartans by an ambuscade, and Gorgopas fell in the battle. Of his exploits in Cyprus we have no detailed account.

ἐν Αἰγύπτῳ. It does not appear that Chabrias ever went to Egypt in the service of Athens, but he twice accepted the command of mercenaries in that of the Egyptian king,—once from Acoris in B.C. 387, and the second time from Tachos in B.C. 361.

οὔτε . . τε. For this combination, see Jelf, § 775, 3. For the sentiments, cp. the introduction to the Funeral Speech of Pericles, Thuc. ii. 35.

P. 25, § 77. ναυμαχία, against sixty Lacedæmonian ships under Pollis, at Naxos, in September B.C. 376.

μῖα δούσας, 'wanting one' to make up the full tale of fifty.

τῶν νήσων τούτων. Τούτων is probably feminine, 'of the islands of this neighbourhood,' sc. round about Naxos.

σώματα, as opposed to the ἀλχημάλωτους τριήρεις above.

δέκα καὶ ἑκατὸν τάλαντα, between £26,000 and £27,000.

ἀπέφηνε, 'had to show' as his share of the spoil.

οἱ πρεσβύτατοι. The first recorded campaign of Chabrias, as successor to Iphicrates at Corinth, was not earlier than B.C. 392—thirty-seven years before this speech.

§ 78. ἀπώλεσε, 'he never sacrificed.' That he never should have lost a man in all his campaigns is inconceivable; but he never lost one needlessly.

ἀφ' ὑμῶν κάκεινον. This use of ἀπό, with the persons from whom trophies were gained, is not uncommon. It perhaps arises from the construction of trophies with arms, etc., stripped from the conquered.

οὐ ἐκάστην, 'where he took each,' and so οὐ ἕκαστον below; not 'to whom each belonged.'

P. 26, § 79. ἂν εἰσέγγελλον οὗτοι, 'Leptines and his friends would have impeached him.' εἰσαγγελία was a form of trial at Athens for offences against which no law already existed, but which were yet prejudicial to the public interests. The trial was held before the ἐκκλησία, probably because it involved practically the formation of a new law, not merely the application of those already existing. The strictness of the Athenian supervision over their officers is illustrated by this jealousy of the sacrifice of a single man.

τὸν ἅπαντα . . χρόνον. Treason being punishable with death to the traitor, and perpetual ἀτιμία to all his family.

§ 80. ἑβδομήκοντα, forty-nine at Naxos, 'more than twenty' at odd times elsewhere.

τηνικαῦτα δέ. δὲ simply marks here the beginning of the apodosis. See Jelf, § 770b.

φανήσεται, 'will be found to have lived all his life in doing you service.' Sc. ἂν σκοπήτε.

τὰ ζῶντι πεπραγμένα, 'his exploits in life,' looked on rather as so much standing to his credit, than as performed by him. Hence the dative instead of ὑπὸ ζῶντος. Cp. de Pace, 61, 24, τὸ δοκεῖν ἐκδέχασθαι τι τῶν ἐκείνοις πεπραγμένων.

§ 81. Χίων. In B.C. 358 Chios, Cos, Rhodes, and Byzantium revolted against Athens, giving rise to what is called the Social War. Chabrias and Chares were sent against Chios, but Chabrias fell in the first battle, as he was trying to force his way with his ships into the harbour.

P. 27, § 82. κατ' ἐκείνο . . καθ' ὃ, 'in this respect' . . 'that.' δι' ἐκείνον, 'owing to any fault of his.'

ἐν ὀρφανίᾳ τέθραπται. As Ctesippus appears now to have been of full age, some two years after his father's death, the picture of his orphanhood seems somewhat overdrawn, especially if we give any weight to the story that he was already a notorious profligate.

βεβαίως πως qualifies φιλόπολις, and is therefore not a mere repetition of ὡς ἀληθῶς. Demosthenes was genuinely convinced that Chabrias was what he might call a firm patriot.

τούτῳ, 'this quality of caution.'

τὸ καθ' αὐτόν, 'in his own person.'

§ 83. ἀποθνήσκων ἢ νικῶν. So Boadicea, 'vincendum illa acie vel cadendum esse,' Tac. Ann., xiv. 35. Cp. Nelson's "A Peerage or Westminster Abbey."

ὑπὲρ ὑμῶν στρατηγῶν, 'when acting as your general,' as distinguished from his triumphs in the Cyprian or Egyptian service. In this way the words have more force than would be gained by combining ὑπὲρ ὑμῶν ἔστησε, though this would also be good Greek.

δοκιμάζεσθε, 'your fitness is being tested;' δοκιμασία being the scrutiny into the eligibility for office at Athens of any citizen.

§ 84. ὅρα δὴ καὶ σκόπει. It is as likely as not that these words, ostensibly addressed to the clerk when he could not at once lay his hands on the decree, were really a part of the speech as previously prepared, in order to give an appearance of extemporaneous addition to the further eulogy on Chabrias which ensues. We know that such points were carefully arranged beforehand, both by Demosthenes and Cicero; arguments from the supposed demeanour of the audience occurring even in Cicero's 2d Philippic, which was never spoken.

τιμώντες . . δίδόντες, 'wishing to honour' . . 'wishing to give.'

Στράβακα . . Πολύστρατον . . Κλειάρχη. Of these three men we only know that Polystratus had been on one occasion associated with Iphicrates and Chabrias in the command of certain mercenaries at Corinth. (Phil. i. p. 46, 20.)

Χαβρίας . . μόνος. The argument seems to be, 'some of those who have the immunity are said to be unworthy. But even granting this, you would have given these very men the exemption, knowing them to have no personal claims to it, had Chabrias asked you to do so in consideration of his services. It is therefore highly inconsistent, because of their unworthiness, to take away the privilege which he at least so fully earned.'

P. 28, § 85. οὐς νῦν οὗτοι κτλ., 'finding fault with whom, they now bid us strip all alike of their immunities.'

§ 86. παρὰ τὰς εὐεργεσίας, 'during all the time the benefits were being conferred.'

§ 87. πρὸς πολλοῖς ἄλλοις. Demosthenes means that he has merely given a sample, to which many more might have been added.

οὐς ἀκηκόατε are the individuals and states that he has himself mentioned as having well deserved their immunity.

σκοπεῖτε καὶ λογίσασθε. Westermann points out that the change of the tense marks the transition from general contemplation to the consideration of particulars. He compares the reverse transition in § 167, φυλάξατε καὶ μνημονεύετε.

ὦν—τούτων, by attraction for τούτων δ.

μάτην τοῖς πονήσασι, 'without profit to those who bore the toil.'

P. 29, § 88. ἐπὶ πᾶσι δίκαιοις, 'in absolute accordance with what is right.' Cp. Æschin. in Ctes., p. 78, 12, ὁ λογισμὸς ἔστω ἐπὶ πᾶσι δίκαιοις.

παρισφύρομεν, 'we introduce as an alternative;' 'subrogamus;' the old law and its proposed amendment being hung up side by side before the statues of the ἥρωες ἐπώνυμοι. See on § 94.

κρίνας παρ' ὑμῖν, 'only after trial before you;' so that unless there were grounds for deprivation which would stand investigation in open court, men would retain their privileges.

§ 89. παρισφύρειν δέ. Leptines εἰσήνεγκε μὲν, παρῆνεγκε δ' οὐ. He proposed a new law without formally proposing to annul the old one, or submitting the two together for comparison.

§ 90. τοὺς θεσμοθέτας κτλ., 'that while the archons passed two scrutinies as to their fitness for office, the laws which were to regulate their conduct should be valid without any scrutiny, after being passed in haphazard fashion (ὅπως ἔτυχον), to suit the impulse of the moment.' For the παράταξις, see on § 9.

§ 91. τέως. Here and in Meid., p. 520, 1, Dindorf adopts the correction ἕως; and Liddell and Scott treat τέως as a mere error of the copyists. It is found, however, in all the MSS., and as its usage for ἕως is recognised in the Homeric Hymns and the Ionic prose writers, it is hardly safe to reject it here. In Olynth. ii. p. 24, 2, there is again a large preponderance of MSS. in its favour.

δυνηθέντες, absolutely, 'having acquired power.'

κατεσκευάσαν κτλ., 'managed to obtain for themselves the right to legislate:' κατασκευάζω having continually the implied notion of bringing intrigue or fraud to bear on the attainment of an object.

χειροτονεῖτε. There is a difficulty in this word, which is elsewhere used exclusively of deciding an election by open voting; whereas the θεσμοθέται, whose business it was to see that no contradictory laws existed at Athens (see Æsch. c. Ctes., p. 59, 7), were appointed by lot.

ἐπὶ πάμπολυν ἤδη χρόνον, 'now for a long time back.'

P. 30, § 92. νεώτεροι οἱ νόμοι. If this be the right reading, it can only mean that the laws are so continually shifting, that it is a common occurrence to find those regulating the mode of passing decrees superseded by new ones during the period of the single year for which the decrees remain in force. Other readings have been suggested, as κενώτεροι, and ἐνεώτεροι, 'more senseless.'

ὑμῖν, the *dativus ethicus*.

οἱ πρότερον νομοθέται, 'those who in former times used to propose laws;' νομοθέται being here used in the general sense of legislators—not technically of the revising committee of the Heliastae, referred to in the next section.

§ 93. πρῶτον μὲν, 'first of all,' not in order of time, but of importance, as the reference to the νομοθέται was the last stage in the passing of a law.

παρ' ὑμῖν, ἐν τοῖς ὁμωμοκόσιν. The νομοθέται being chosen by lot out of the Heliastae, Demosthenes identifies them with the members of the court. παρά, pleading before you, ἐν, in the midst of a body of men under oath.

τάλλα, 'all other debateable matters,' viz. the ordinary disputes at law.

τοὺς ἰδιώτας, persons without professional knowledge of the law.

§ 94. πρὸ τούτων γι, 'before taking the steps mentioned above.'

τῶν ἐπωνύμων, the ten heroes that gave their names to the Athenian tribes, whose statues stood in the Cerameicus.

τῷ γραμματεῖ. This would be the γραμματεὺς κατὰ πρυτανείαν, the clerk of the ἐκκλησία.

δικαίων, 'regulations,' as in § 96.

πάντα, sc. πεποιήκαμεν.

P. 31, § 95. ἅ . . γεγράμμεθα, 'all that we have denounced in this man's law.'

NOMOS. More strictly ΓΡΑΦΗ or NOMOT KATHΓOPH-MATA, unless we suppose with Schaefer that this would be included as a sort of preamble in the substituted law of Demosthenes.

§ 96. ἐν τοῖς οὖσι νόμοις κυρίοις, 'in what are valid laws,' not 'in the laws which are valid.' So in Timocr., p. 705, 13, ἐν τοῖς οὖσιν ἡμῖν νόμοις κυρίοις.

τοῦτο . . δίκαιον is the subject of the sentence, having for its predicate καλὸν καὶ σαφὲς ὑπάρχον.

χρῆν. The apparent omission of the augment is due to the fact that the word is really a crasis for χρῆ ἦν, not an imperfect from χρῆ, which is a substantive, not a verb. ἐχρῆν is an abnormal form, arising from a misconception of the nature of χρῆ, and is of comparatively rare occurrence in earlier Greek, though not unfrequent in Demosthenes.

μαρτυρίαν . . νόμον, 'leaving this law as a testimony against him.'

καὶ κατ' αὐτὸ τοῦτο, 'on this score alone,' i.e. of its intrinsic illegality, as well as of any informality in its proposal.

P. 32, § 97. ἔδωκεν, sc. ἀτελέσιν εἶναι.

ἐν ᾧ . . νόμῳ; an attraction for ἐν τῷ νόμῳ ὃν ᾧδε (Apsephion) νῦν ἀντεισφέρει.

πρόφασις δικαία κτλ., 'any fair representations find a place, either against those who obtained the privilege by fraud in the first instance, etc.'

§ 98. κριθέντας, 'after trial held.'

πρὸς τοῖς θεσμοθέταις, 'before the Thesmothetae,' in the preliminary investigation, or ἀνάκρισις.

παραγεγράφθαι, 'written and hung up beside the other for public comparison.'

§ 99. τοῦ τούτου νόμου, 'this man's law,' as in §§ 94, 95. Here the reading of all the MSS. is τούτου τοῦ νόμου, but the alteration, which is due to Westermann, seems probable, as otherwise οὗτος ὁ νόμος would be used in two consecutive sentences of different laws.

ἵνα μὴ . . ἀντιλέγη. It has been urged that if this were a clear matter of law, no dispute could arise on the point. Wolf thinks the law on the subject may have fallen into desuetude; but, even without supposing this, points of law are seldom so free from uncertainty as not to admit of cavil, if not of serious argument.

ἐπ' ἐκείνο, 'to the following point.'

τοῦ πῶς τεθήσεται, 'the question of how its enactment shall be brought about.'

P. 33, § 100. βουλὴν, either of the two Councils—the Areopagus, or that of five hundred.

τὰ ἔσχατα πάσχειν, 'the extreme penalty' of death itself. See § 135.

ἐπὶ τούτοις, 'on these conditions;' rather than, with Westermann, 'in the hands of these men.'

§ 101. ἰδίᾳ, 'individually.'

ἐκείνὸ γ' οὐ λόγος, 'this, at any rate, is no mere word.'

ἀφ' αὐτοῦ, 'on his own responsibility.'

§ 102. δοῦναι. Demosthenes apparently means 'devise by will,' since the power of an Athenian to alienate his property during his own lifetime seems to have been absolute. By will he could leave legacies to his friends, but he could not disinherit his legitimate children. If he left only a daughter, he might leave his property to a stranger on condition of his marrying the daughter.

τῆς ἀγχιστείας, 'the right of legitimate succession.'

εἰς τὸ μέσον κτλ., 'making it a matter of open competition to do each other service.'

§ 103. τῶν φιλοτιμησομένων, 'who will strive for the honour of doing it service.'

P. 34, § 104. ἀκούη, sc. κακῶς, 'be evil spoken of.'

ὧν οὐδὲν ἐκείνοις προσήκειν, 'with whom (i.e. the persons indicated by τῷ δέεινι and τὸν δέω) the others (οἱ εὖ τετελενηκότες) had nothing to do.' For the construction, cp. in Macart., p. 1056, 15, ἡγούμενοι οὐδ' ὁτιοῦν προσήκειν ἑαυτοῖς οὐδενὸς τῶν Ἀγνίου.

§ 105. οἱ Λακεδαιμόνιοι . . οὐδενὶ . . διδῶσι. Yet Plutarch (Agesil. c. 35) mentions that exemption was given by the Lacedaemonians to the family of Anticrates for killing Epaminondas at Mantinea; and Aristotle, Pol. 2, 9, (7) 18, says that it was granted at Sparta to all fathers of four sons. Westermann quotes from Boeckh's Corpus Inscriptionum (1335 and 1365) further instances both at Sparta and Thebes; but they appear to have been less frequent in those places than at Athens.

§ 106. τὰ τῶν Ἀθηναίων ἐπαινέειν, as the other side proposed to praise the customs of the Spartans.

τῶν δαίνων. The plural of ὁ δαῖνα appears to be very rare, except in the neuter.

ἅπας ὁ δῆμος, including even Leptines and his party.

P. 35, § 107. γεροῦσιαν, the council of elders in Dorian cities, holding the place of the βουλὴ at Athens, but purely oligarchical in its composition. Plutarch (Lycurg. c. 26) tells us that at Sparta vacancies were supplied by electing from those over sixty τὸν ἀριστον ἀρετῇ κριθέντα; and that the election was μέγιστος τῶν ἐν ἀνθρώποις ἀγώνων; and he speaks of it as κύριον ὄντα καὶ θανάτου καὶ ἀτιμίας καὶ ὅλως τῶν μεγίστων. Cp. Cic. Cat. Mai., c. 6, 20. 'Apud Lacedaemonios ii qui amplissimum magistratum gerunt, ut sunt, sic etiam nominantur senes.'

ἐγκριθῇ. κρίσις was apparently the technical word for election into the γεροῦσία.

μετὰ τῶν ὁμοίων, 'with his equals,' in the ordinary sense of the word; any reference to the two classes at Sparta of ὅμοιοι and ὑπομεινόνες being inconsistent with the sense of the passage.

σιτήσεις, 'public maintenance in the Prytaneum,' granted sometimes for a limited time, sometimes for life.

§ 108. ὅτι τὰς μὲν κτλ., 'that equality of privileges among all those who share the supreme authority in the State secures harmony of feeling in oligarchical States, whilst the rivalry into which good men enter with one another for the gifts conferred by the people protects the freedom of democracies.'

ἑαυτοῦς is not uncommonly used as an equivalent for ἀλλήλους where there is no risk of ambiguity.

§ 109. ἂν ἔχειν. The construction, omitting οἶμαι, would have been ἔχοιμι' ἂν, hence the ἂν with the infinitive. Cp. § 148.

ἐπ' ὁμότητι. Cp. de Cor., p. 237, 14, τῆς ἀναλγησίας καὶ βαρύτητος ἀπαλλαγῆναι τῆς τῶν Θεβαίων; and 240, 10, οἱ ἀναλσθητοὶ Θεβαῖοι.

μήτ' οὖν ἐκείνοι κτλ. For the prayer, cp. Ulysses in Eur. Hec. 328:—

οἱ βάρβαροι δὲ μήτε τοὺς φίλους φίλους
ἡγείσθε, μήτε τοὺς καλῶς τεθνηκότας
θαυμάζεθ', ὡς ἂν ἡ μὲν Ἑλλάς εὐτυχῇ,
ὕμεις δ' ἔχηθ' ὅμοια τοῖς βουλευμασι.

τοὺς συγγενεῖς, 'those of the same race,' Dorians like themselves. Orchomenus was cruelly destroyed by the Boeotians in B.C. 368, in the absence of Epaminondas, who persuaded them to spare it after Leuctra.

λόγῳ, 'by fair argument, in conformity with the laws;' as opposed to assertion of their rights by force.

P. 36, § 110. καλῶς ποιοῦντες, 'by the favour of heaven,' a common expression in the Orators. Cp. de Cor., p. 304, 26, ὑμεῖς καλῶς ποιοῦντες τοὺς καρποὺς κεκόμισθε. Liddell and Scott give as the meaning of the words 'deservedly' as though it were 'by your good conduct;' but this, though more in accordance with the ordinary meaning of ποιεῖν, will not suit many of the passages in which the expression occurs.

κατὰ τὸν λογισμόν, 'theoretically,' in strict logic, as opposed to the logic of facts, which, through the interference of fortune, turns the scale the other way.

παρὰ ταῦτα, 'as a consequence of this policy.' See on § 26.

§ 111. παρὰ πάντα ταῦτα, 'on the whole question;' following, that is, the whole course of the argument, and seeing what it comes to. Westermann, with less probability, takes παρὰ ταῦτα as = χωρὶς τούτων, here and in § 160.

λέγειν, 'to quote.'

οὐδὲ δι' ὧν κτλ. The syntactical order is οὐδὲ βούλεσθαι μὲν κἀν ἀποκτεῖναι τὸν κατασκευάσαντα παρ' ἡμῖν τι τούτων δι' ὧν ἐκεῖνοι μεγάλοι (εἰσι), ἐθέλειν δὲ ἀκούειν τινῶν λεγόντων ὡς δεῖ ἀνελεῖν ταῦτα δι' ὧν ὁ παρ' ἡμῖν δῆμος εὐδαίμων (ἐστί). For the co-ordination of the two clauses, see on § 9. There was nothing unfair, according to Demosthenes, in the desire to kill the man who should manage to introduce Spartan customs at Athens, but only in the combination of this desire (βούλεσθαι) with willingness (ἐθέλειν) to listen to those who would destroy the Athenian institutions.

§ 112. ἀγαπητῶς . . ἔτυχον, 'were quite content with obtaining an inscription on the Hermes' busts.' An example of such

inscriptions is given in the case of the victorious generals at Eion, B.C. 476, by Aeschines (c. Ctes. p. 80, 2), who lays stress on the fact that the generals' names were not allowed to be inscribed on the busts, 'that the inscription might appear to be in honour of the Athenian people rather than of the generals.' These Hermes' busts were quadrangular pillars, the height of a man's body, surmounted by a bust of Hermes. They were placed in great numbers at Athens at the entrance of temples and private houses; and the veneration in which they were held may be gathered from the consternation caused in the city by their general mutilation just before the sailing of the Sicilian expedition in B.C. 415. (See Thuc., vi. 27-29.)

ἀναγνώσεται, sc. Leptines.

πρὸς δέ. This adverbial use of πρὸς is rare in Attic prose. Cp. adv. Leoch., p. 1084, 12, πρὸς δὲ καὶ ἐκ γυναικῶν οἱ αὐτοί.

§ 113. κάκεινους, sc. those who had won the honour of the inscription above mentioned. The whole sentence is rather involved, from the number of clauses introduced by εἰ, but the connection appears to be as follows:—The two main hypotheses are εἰ μὲν ἀναξίους εἶναι τις φήσει κάκεινους τιμᾶσθαι, and καὶ μὴν εἰ γ' ὁμολογῶν . . μηδενός, the latter being somewhat irregularly introduced by καὶ μὴν εἰ instead of εἰ δέ, owing to the amount of intervening matter. Then εἰ μήτε τῶν προτέρων μηδεὶς μήτε τῶν ὕστερον is introduced parenthetically to explain the emphasis on κάκεινους. The men of the present day (οἱ ὕστερον) had already been pronounced unworthy by Leptines, and if he excludes also τοὺς πρότερον, then Demosthenes may fairly ask τίς ἀξίος; The next hypothesis, εἰ δὲ μηδένα κτλ., comes in as an incidental reflection by Demosthenes on the evil plight thus represented, and the remaining εἰ is merely used by Attic euphemism for ὅτι of a fact which it is unpleasant to state in more direct form.

οὐδ' ὀλίγου δέ, ἀλλὰ πολλοῦ.

κακουργῶν, 'captiously,' 'with malice prepense.'

δυσχερεῖς, probably meant as equivalent to ἀσύμφορον above, 'inconvenient;' though Wolf takes it as 'contradictory,' as though captious arguments were sure to fail in consistency.

P. 37, § 114. ἐπὶ τοῖς τότε ἔθουσιν, 'dependent on the customs of those days.'

οὐκ ἔστιν οὐδένος = οὐδένος, the expression being treated as a single word, so that the construction of the verb is not altered to suit the grammar of the sentence. Otherwise here the sentence would have run οὐκ εἶναι οὐδένος οὐκ ἔτυχον κτλ.

§ 115. **Λυσιμάχῳ.** This was the son of the great Aristides, a man apparently of no personal merit.

πλέθρα. The πλέθρον contained 10,000 square feet, or somewhat less than an English rood.

ψιλῆς, 'arable land,' bare of trees; as opposed to πεφυτευμένης, planted with vines or olives. Cp. Hom. Il., ix. 576,

(τέμενος) τὸ μὲν ἡμισυ οἰνοπέδοιο,
ἡμισυ δὲ ψιλὴν ἀροσιν πεδίοιο ταμέσθαι.

μνᾶς ἑκατὸν κτλ., about £405 down, and a daily allowance of some 3s. 3d., probably for life.

εὐπορήσει, 'its prosperity may be looked for in the future;' a euphemism for ἀπορεῖ, a word which could not be used in such a connection without βλασφημία, the use of ill-omened language.

P. 38, § 116. **ἑτερόν τι τοῦτ' ἂν εἴη,** 'this point would be irrelevant.' Cp. de Cor., p. 240, 25, ἕτερος ὁ λόγος οὗτος, οὐ πρὸς ἐμέ.

§ 117. **οἱ μὴ δόντες ἂ μὴ δοκέι,** 'those who do not give what they think it right not to give.'

ὧν ἔδωσαν κτλ., 'after giving any one any share in any gifts, have taken this share back again.'

ὁμοίως, 'none the less because of the precedent.'

καταδειχθῇ, the deliberative conjunctive.

§ 118. **γνώμη τῇ δικαιοσάτῃ,** 'in accordance with the most just judgment that ye can form.' It is remarkable that no words to this effect occur in the Heliastic oath as quoted adv. Timocr., p. 746.

τὸ . . τῆς γνώμης, 'this rule, of deciding to the best of your judgment.'

§ 119. **ἀμαθείς,** = ἀπαίδευτοι above, 'boorish.'

προσῆκεν, 'it was your place:' differing from χρῆν, as implying that there was something in their position, as Athenian citizens, which made it incumbent especially on them to screen the faults of Athens.

P. 39, § 120. **χαλκοῦς ἱστάναι,** 'to set them up in brass,' a common expression with Demosthenes for erecting a brazen statue of a man.

πλήν τούτου, sc. τῆς ἀτελείας.

τί . . πιστότερον, 'how will the grant of the image, or of the public maintenance, be more secure than that of the exemption?'

ἢ τὸ τῆς ἀτελείας. The use of ἢ, 'than,' immediately following on ἢ, 'or,' in so similar a combination, is somewhat awkward, but the sense of the passage is clear. Some MSS. omit τὸ before τῆς σιτήσεως, which makes the distinction plainer.

§ 121. **μηδὲν . . δυσχερές,** 'in no way unsuitable.'

ἅπαντας ἐξ ἴσου κτλ., 'will deem all alike worthy of the same reward as its greatest benefactors.' This would arise from the city having no degrees of honour to award. If the greatest benefactors could gain nothing higher than those do now who perform a trifling service, it necessarily follows either that they must all be rewarded alike, or that the less deserving must have no reward at all.

οὔτε . . συμφέρει. Since great services imply great emergencies in the State.

αἰτίῳ γενέσθαι, sc. τινί.

P. 40, § 122. **ἐν πολιτείᾳ,** 'in the home administration of the State.'

τὰς τιμὰς, 'the due and proportionate honours.'

καὶ τὰ τῶν δωρεῶν, 'all that concerns the bestowal of rewards, as well as the services, should be duly classified.'

§ 123. **ἀλλὰ μὴν κτλ.** Having considered the evils of Lep- tines' proposal from the point of view of the State, he now proceeds to show how they would be felt by the benefactors. These he divides into two classes: first, those who had received ἀτέλεια and other privileges besides; secondly, those who had

received ἀτέλεια alone. The former would claim to have unimpaired all that was given them for any special service, seeing that their right to the ἀτέλεια and to the other honours rested on the same grounds, inasmuch as they were all rewards for the same service; the others would say that it was mere mockery to talk of leaving a portion of their reward, when the only share that came to them was taken away. The fate of this second class is further illustrated in the clause beginning ὁ γὰρ ἀξία τῆς ἀτελείας.

διὰ μὲν τοῦ κτλ. In the first member of this sentence τῶνδε are the unworthy holders of ἀτέλεια, ἐκείνους its worthy possessors; in the second, ἐκείνους are the possessors of ἀτέλεια and something more, τούσδε, those who possessed ἀτέλεια only. διὰ τοῦ κατηγορεῖν, 'through your accusation,' this being the direct means employed for taking away the exemption; δι' ἃ καταλείπειν φήσεις, 'from any consideration of what you will profess to leave them;' this being only one argument adduced in favour of the injustice. Hence the genitive and accusative respectively with δίδ.

ἀφαιροῦ . . ἀφῆλ. The imperative marks more that the deed was already accomplished, 'give up robbing;' the subjunctive that it was in contemplation, 'do not think of robbing;' though there is nothing in the two clauses to make such a distinction necessary.

§ 124. μέζον' ἢ ἐλάττωνα are neuters, 'in a greater or less degree.'

ὑπέρ, as often in Demosthenes, merely means 'concerning,' without any idea of advocacy.

§ 125. πρὸς τὸ . . πείσαι, 'to bear on persuading you.'

αἱ χορηγίαι καὶ αἱ γυμνασιαρχίαι. These words appear to be a gloss, added as examples of the kind of expenses meant. We have seen that χορηγία can be used as a general term to comprehend all the minor λειτουργίαι, but it is extremely improbable that Demosthenes would have added to it γυμνασιαρχίαι, and yet omitted ἀρχιθεωρίαι and ἐστιάσεις.

P. 41, § 126. ποιῆν, like *facere*, and our *do*, is frequently used to avoid the repetition of some more definite word or phrase. Here it represents δεῖξαι δίκαιον ὑμᾶς ἀφελέσθαι.

ἐπ' ἀνθρώπου, 'on mere human authority.'

§ 127. ἀρχὴν τοῦ νόμου probably depends on γράφων, 'in drafting a beginning for his law,' and is not adverbial, as Wolf takes it. When Demosthenes refers afterwards to this introduction, as something already spoken of, he naturally adds the article, τὴν ἀρχὴν τοῦ νόμου; but here it is not needed.

τί . . μαθὼν; 'on what principle?' like τί παθὼν; 'under what influence?' is frequently used to express wonder at the fatuity of an adversary's conduct. 'What line of reasoning could have induced him to add this exception?' The unusual position of τοῦτο gives it a special emphasis, 'this exception, of all things in the world.'

τῆς στήλης τάντίγραφα, 'the copy of the inscription on the pillar,' commemorating the grant to Harmodius and Aristogeiton.

P. 42, § 128. τὸ τῶν ἱερῶν τέλος, 'the payment of dues for religious purposes.'

§ 129. τῶν δὲ λειτουργιῶν κτλ. The natural close of this sentence would have been οὐδ' εἰσὶν, corresponding to οὐκ εἰσὶν ἀτελείς. But this would not have sounded well, and so Demosthenes substitutes ἔχουσιν, understanding ἀτέλειαν. 'But neither have they exemption from the ordinary λειτουργίαι, if these are to be reckoned among sacred duties.'

§ 130. ἡ τοῦ μετοικίου; an obvious *reductio ad absurdum*, since the μετοίκιον was payable only by resident aliens.

προσδιώρισας, by expressly exempting their descendants from the λειτουργίαι.

ἐνεγκεῖν κτλ., 'to propose any of their descendants as choregus.' The λειτουργίαι being assigned to the several tribes, it was their business, in their collective capacity, to find representatives to undertake them, φέρειν being the technical word for this process.

ἀντιδοῦναι, 'challenge them to an ἀντίδοσις.' See Excursus I. § 11.

P. 43, § 131. ἐπισύροντες, 'in a slovenly fashion,' not giving us details which we can criticise, but lumping a lot of men together. Megarians and Messenians were the special objects of Athenian antipathy, so that coupling them with slaves and gallows birds (μαστιγίαι) would be appreciated by an Athenian audience.

καὶ . . . ἐξελεγμένοι. As the reading stands, this can only be 'having picked out even men like these.' An emendation of Reiske's, Διονυσίους, makes the close of the sentence run more easily, 'having picked out men like Lycidas and Dionysius, and some of their compeers.' Lycidas and Dionysius are unknown except from this passage.

ἐν οἷς κτλ., 'which contain their names as exempt.'

§ 132. πρόξενοι. The πρόξενος of a State was a citizen of any friendly State, appointed in and by that State to look after the interests of visitors to it from the State for which he was πρόξενος. He discharged many of the same duties as a modern *consul*, but was an official of the State in which he resided, not of that which he there represented.

διὰ τῶν πολιτευομένων, 'through the agency of your statesmen.'

διὰ τοὺς . . . γράφοντας ἐτοίμως, 'owing to the conduct of those who for a consideration made no difficulty about proposing them.' ἐτοίμως (*temere*) goes much better with γράφοντας than with πρόξενοι γεγόνασι.

δικαίως, 'without corruption;' opposed to μισθοῦ.

§ 133. εἰ . . . ἐξαρκέσει . . . ἀφείλονται. The future indicative marks a contingency which was no longer doubtful, Lycidas being already appointed πρόξενος; ἀφείλονται one which was yet undecided, the final loss of the ἀτέλεια depending on the present trial. Cp. § 62, note.

πρόξενος ὢν, 'as being πρόξενος;' in virtue of the office.

P. 44, § 134. οὐδ' ἂν εἴ τι γένοιτο, 'not even under any possible circumstances.' A favourite formula: cp. de Cor., p. 284, 17, ὡς οὐδ' ἂν εἴ τι γένοιτ' ἔτι συμπνευσόντων ὑμῶν καὶ τῶν Θηβαίων.

κυρίου γενομένου, 'if it become established.' τῇ πόλει depends on συμβήσεται.

§ 135. ἔστιν ὑμῖν νόμος. Cp. § 100, and see on § 3.

καλῶς τῶν. So Westermann, from the best MS., for the more usual τῶν καλῶς δοκούντων ἔχειν.

τὸ μὴ ταῦτα ποιεῖν is the accusative depending on the verbal notion contained in ἀμφισβήτησις, as though it were οὐδέ λοιπὸν ἐστὶν ἀμφισβητεῖν τὸ μὴ ταῦτα ποιεῖν. So with ἀρνήσις, F. L., p. 163, 12, οὐδ' ἀρνήσις ἐστὶν αὐτοῖς τὸ μὴ ταῦθ' ὑπὲρ Φιλίππου πράττειν. The μὴ merely reflects the negative notion involved in ἀμφισβήτησις. 'There is no longer any doubt about the measure bringing this to pass.'

§ 136. μηδὲν . . . τοῦτο, οὐδὲν . . . τοῦτο. In both these places τοῦτο takes up the positive τι implied in the negative pronoun: 'that when there is anything against which you would be on your guard individually, you should not let yourselves be seen doing this as a State.'

P. 45, § 137. ἀνάξιον, 'wholly worthless,' answering to the ὅλως ἀναξίων, of § 97, and so to be distinguished from μὴ πεποιηκότ' ἐφ' οἷς εὔρετο, who might be a very worthy man, but who had got his exemption on false pretences.

ἢ θέντων ἡμῶν κτλ. Cp. §§ 100, 101.

ὅταν πρῶτον κτλ., 'the very first time νομοθέται are appointed.'

Διόφαντος . . . Εὐβουλος. It is obvious that these men enjoyed the ἀτέλεια, but we cannot further identify them.

§ 138. ἀφαιρούμενος, as they might do by bringing their enemies to trial in detail. The distinction in the tense of the participles is to be noticed, the present ἀφαιρούμενος marking that the process might be repeated from time to time, the perfect ἀφηρημένους marking that the spoliation of all the ἀτελεῖς would be complete and irrevocable from the moment when the law was brought into effect. 'If it be well for you to appear before the world as having deprived your benefactors of those privileges of which neither Leptines nor any of his friends is willing to be seen depriving his personal enemies.'

ἀθρόους, 'en bloc,' as opposed to κατ' ἀνδρα, 'one by one.'

διὰ τούτων, 'through the agency of Leptines and his friends.'

ταῦτα, 'such a line of conduct as that proposed by Leptines.'

§ 139. ἐκείνου τοῦ λόγου. This argument had already been adduced in § 56.

τοῦτο, some subsequent misdemeanour on their part. No such allegation should be attended to, says Demosthenes, un-

less Leptines can show that the culprits were punished *παρὰ τὰδικήματα*, 'at the very time of the offence.' Cp. de Cor., p. 229, 19, *ταῖς ἐκ τῶν νόμων τιμωρίαις παρ' αὐτὰ τὰδικήματα χρῆσθαι*.

P. 46, § 140. *ὡς ἔπος εἰπεῖν*. Some such qualifying words are commonly inserted in universal statements by the Attic orators, to anticipate the possible production of one or two exceptions. Cp. de Cor., p. 226, 23, *ὁ πᾶσιν ὡς ἔπος εἰπεῖν ἐνοχλεῖ*.

ὁ τοῦτο πεπονθώς, 'one who is subject to this;' the evil passion of meanness being looked on as a disease.

§ 141. *μόνοι*. The peculiarity of the Athenians consisted in the funeral orations, not in the public funerals, which were customary elsewhere. Of these orations four have come down to us—that of Pericles, preserved more or less faithfully by Thucydides (ii. 35, etc.), a *λόγος ἐπιτάφιος* of Lysias, the Menexenus of Plato, and one attributed to Demosthenes, but probably not genuinely his.

τοὺς στεφανίτας, 'the games in which the prize was a simple wreath,' notably the four great Panhellenic festivals. Such contests were also called *φυλλῖται*, as opposed to *θεματικοί*, in which the prize was of substantial value. The winners were considered to acquire great glory for their native cities, and commonly received high honours and rewards from them.

τούτων, 'of these gifts.'

τοσαύτας ὑπερβολὰς . . παρέσχηται, 'so surpassing is the magnificence of the gifts which she has prepared, for the purpose of making a return.' Surpassing, probably, absolutely, or in comparison with the custom of other cities; not with the magnitude of the favours received.

P. 47, § 143. *ὥσπερ ἂν . . οὐκ ἂν*. The first *ἂν* is inserted to show from the beginning that the sentence is conditional, and it is then repeated, after the interposed protasis, to enforce attention to this conditional character with the words to which it more especially belongs. Demosthenes' parallel contains a fallacy, since the man who would render the noblest service to the State would also be the least influenced by the prospect of reward, whereas the man who would do it the worst wrong would be the most susceptible to the fear of punishment.

συγχωρήσεται κτλ., he will show that he sees his mistake, by allowing you to annul those provisions in respect of which he committed an error. *ἁμαρτεῖν* is more generally followed by *περὶ* with the accusative, but cp. Plat. Legg., x. p. 891 E, *ἡμαρτήκασι περὶ Θεῶν τῆς δυνάμεως οὐσίας*.

ψέγειν οὐ βούλομαι. Demosthenes uses the mildest expression that he can, by a kind of *σχῆμα παρὰ προσδοκίαν*, for his antithesis to *οὐκ ἔχω πῶς ἐπαινέσω*.

§ 144. *μήτε*, rather than *οὔτε*, as looking at the question from Leptines' point of view. 'Seeing that by such a line of conduct,' etc.

ἀκινδύνου, by *προθεσμία*; the time within which the action for proposing illegal measures could be brought against the proposer having expired. See Excursus II. § 8.

ὑπεύθυνον, 'responsible to the State for what he had done.' The word originally applied only to ex-magistrates liable to *εὔθυναί* for the administration of their office; but it gradually obtained a more general signification.

§ 145. *τρῖς . . τινές* would commonly mean, 'three, more or less;' but here it seems to be rather 'three obscure individuals.'

τοῦδε, sc. Apsephion, rather than Bathippus, who is probably the prosecutor alluded to below as having died before his case came on for hearing.

ἐρηκέναι, sc. in proposing the law.

διεγράψατο, 'struck the cause out of the list,' by drawing a line through it.

ὅλως . . παρεσκευάσθη, 'was a collusive prosecutor from the first,' a *praevanicator*, called into existence to bar the way of any genuine suit. Who these last two were we have no means of knowing, but it seems clear that Demosthenes is referring to the actual circumstances of the previously threatened prosecutions.

P. 48, § 146. *σύνδικοι*, public advocates to defend the law which was impugned. These were always five in number, the proposer of the law, if alive, being one as a matter of course. Of the others, Leodamas was a pupil of Isocrates, *οὐχ ἡττον Δημοσθένους λέγειν δυνάμενος*, according to Æschines (in Ctes.,

p. 73, 21). Aristophon had been before the public since B.C. 404, when he proposed a law for striking the sons of alien mothers off the list of citizens. He is said to have lived to the age of nearly 100, and is several times mentioned as an orator by Æschines. Cephisodotus was probably the general who four years before had made disadvantageous terms with the Eubœan Charidemus for the cession of the Chersonese, for which he was condemned to pay a fine of five talents, and narrowly escaped the punishment of death. Deinias is only elsewhere mentioned by Athenæus as a member of a club of wits (*γελωτοποιοί*) at Athens.

τὴν Χαβρίου δωρεάν, 'the rewards given to Chabrias, including the exemption (*τοῦτο*). For the case of Chabrias, see above, § 75 foll.

τῶν ἐκείνῳ τι δοθέντων have the appearance of a gloss, and are quite unnecessary for the sense. The words are rejected by some editors, but there is no variation in the MSS.

§ 147. *οἱ νόμοι δὲ οὐκ ἔωσι*. For this principle of Athenian law, cp. de Cor., p. 269, 4, *ἀθῶος . . τῷ κεκρίσθαι περὶ πάντων πρότερον*. The kinds of suit mentioned below are merely meant as specimens, not as an exhaustive division of Athenian law-suits (hence *οὐτ' ἄλλο τοιοῦτον οὐδέν*). *Δίκαι* are private suits, *εὐθύναι* the investigation into a man's conduct during his tenure of office, *διαδικασίαι* suits between rival claimants to any property or privilege. The argument of Demosthenes is not sound, since it is by no means a repetition of the same case to try and abolish all exemptions, after trying to prove that a particular person was unworthy of such a boon.

ταῦτα ὑπάρχει, 'we have the merits of Chabrias to begin with.'

§ 148. *ἀν ἔχειν*. See on § 109.

ἐκείνῳ γ' οὐχὶ δίκαιον. It was inconsistent, says Demosthenes, to acquiesce in the exemption being given to himself, and to seek to take it away from others. But it might at least be answered that he showed his consistency and patriotism by supporting a measure of which he would be one of the first victims.

ταῦτα, sc. *ἡ δωρεά*.

P. 49, § 149. *Γελάρχῳ*. Gelarchus, or Agelarchus as Reiske

has emended the name, is not known to us from any other source.

ὥς παρασχόντι, 'as having advanced the sum.'

τοῖς ἐν Πειραιεὶ τοῦ δήμου, 'those of the democratic party who were in the Peiræus;' in B.C. 404, taking refuge from the thirty tyrants. Seen on § 11. *τοῦ δήμου* is an unusual and unnecessary addition to *τοῖς ἐν Πειραιεὶ*, but is perhaps inserted here to mark the point of *ἐπὶ τῇ τοῦ δήμου προφάσει* below.

ἀμάρτυρα, Gelarchus having apparently no vouchers or other evidence to prove the fact of his advance.

§ 150. *δεινὸς εἰπεῖν*, more generally *δεινὸς λέγειν*; but cp. adv. Androt., p. 603, 5; de Symm., p. 180, 9. Here *εἰπεῖν* is evidently used for the sake of variety.

§ 151. *οὗτος . . λειτουργίας*, 'he will talk of his trierarchies and other *λειτουργίαι*;' evidently implying that he will make the most of them. Cp. pro Phorm., p. 957, 11, *ἀλαζονεύσεται καὶ τριηραρχίας ἐρεῖ καὶ χορηγίας*.

ἐφ' οἷς . . φθονεῖν. *ἐφ' οἷς* is an attraction for *ἐπ' ἐκείνοις δ*, 'to feel envious of your neighbours on the ground of the exploits for which they receive honour.' *ἐπὶ τινὶ φθονεῖν*, to feel grudge or envy on the ground of any turn of fortune, is a rare construction, used here for the sake of the antithesis to the preceding *ἐφ' οἷς*. Cp. Xen. Cyr., ii. 4, 10, *ἐπὶ τοῖς ἀγαθοῖς τοῦ ἀρχοντος φθονήσοντας*.

§ 152. *τούτων πολλάκις*. The asyndeton here is rare, but not without sufficient parallels. Cp. Æsch. in Ctes. p. 59, 27, *ὁ δ' ἦν ἐπιφθονώτατος, προξενίας τινὲς . . ἐπράττοντο*; Dem. in Meid., p. 540, 11; in Aristocr., p. 626, 21.

τισὶ πράγμασι; not necessarily as advocates of impugned laws, but in some State trials or other.

συκοφαντία, whatever its derivation (see Lidd. and Scott), means the conduct of a professional informer, then as now deemed infamous.

ὑπὸ τοῦ δήμου χειροτονηθέντα. From this it would seem that a man was entitled to come forward more than once in such a capacity on his own responsibility. It is probable enough that the law which Demosthenes quotes against these *σύνδικοι* was

practically obsolete, or he would have given it more prominence. This raking up of obsolete laws seems to have been a favourite field for forensic ingenuity at Athens, being conspicuous in the contest between Demosthenes and Æschines de Corona.

P. 50, § 154. καταβήσομαι, sc. ἀπὸ τοῦ βήματος.

δι' ὧν . . τὴν πόλιν, 'on whose working it depends whether the city is great or small.' This whole passage is repeated nearly *verbatim* in Timocr., p. 766, 17.

τὰς τιμὰς, 'the honours they have to bestow.'

§ 155. παρανοίας, 'of folly,' in not seeing the inconsistency, that is, between the law of Leptines and the fundamental law on which punishments at Athens were awarded.

παθεῖν ἢ ἀποτίσαι, 'to suffer in person or in purse.' The extract is evidently taken from the middle of the law, without regard to the meaninglessness of *μηδὲ* without what goes before, or the want of some verb on which *ὑπάρχειν* should depend. This law would seem also to have become practically obsolete, as *ἀτιμία* and fine are frequently combined in a single punishment. Westermann thinks that it applied only to *ἀγῶνες τιμητοί*, in which the penalty was decided for the particular case.

P. 51, § 156. ἀπαιτήση χάριν, 'ask any favour of you,' such as the forbidden ἀτέλεια.

ἐνδείξεις were prosecutions for undertaking public functions while labouring under disabilities. ἀπαγωγή was a summary process, applicable to many kinds of offences, and consisting in taking a man who was caught *flagrante delicto* at once before a magistrate, and having him tried then and there.

ἐάν τις ὀφείλων ἀρχῇ, 'if any one hold office while in debt to the treasury.' This is probably the opening clause of the law, which would contain later provisions applicable to the case in point.

§ 157. καὶ—τὸ λοιπὸν ἐῷ, 'to say nothing worse.'

οἱ περὶ ἀλλήλους φόνοι, 'murderous dealings with each other.'

περὶ ὧν . . τέτακται. Cp. in Aristocr., p. 641, 29, τοῦτο μόνον τὸ δικαστήριον οὐχὶ τύραννος, οὐκ ὀλιγαρχία, οὐ δημοκρατία τὰς φονικὰς δίκας ἀφελέσθαι τετόλμηκεν. This jurisdiction in

cases of wilful murder seems to have been the chief function left to the Areopagus after the limitations placed on its power, first by Solon, and later by Pericles and Ephialtes.

P. 52, § 158. ὁ Δράκων. Draco's laws about murder were left unrepealed by Solon, and continued in force throughout the whole course of Athenian history. The privileges from which the murderer was debarred by them are nearly identical with those enumerated in Ædipus' proclamation against the murderer of Laius, Æd. Tyr., 236 foll.

τὸν ἀνδρ' ἀπαυδῶ τοῦτον, ὅστις ἐστί, γῆς
τῆσδ', ἧς ἐγὼ κράτη τε καὶ θρόνους νέμω,
μήτ' εἰσδέχεσθαι, μήτε προσφωνεῖν τινά,
μήτ' ἐν θεῶν εὐχαῖσι μήτε θύμασι
κοινὸν ποιεῖσθαι, μήτε χέρνιβας νέμειν.

χέρνιβες were the sacred washings of the hands, whether before a meal at home, or before a sacrifice in the temple. κρατῆρες and σπονδαὶ both refer to the drink-offerings which preceded sacrifice. The murderer would further be excluded from the temples, as the centres of religion, and from the ἀγορὰ as the centre of social and political life.

τὴν τοῦ δικαίου τάξιν, 'left its due place for pleas of justification.'

ἐφ' οἷς ἐξεῖναι. In Greek the infinitive is often found in relative sentences in the *oratio obliqua*, the force of the principal verb being continued in the relative clause; 'in which *he* enacted that it should be lawful.'

οὕτω, 'under the conditions which made it justifiable,' as, for instance, in self-defence, or in vengeance for an outrageous injury or insult.

§ 159. τῶν καιρῶν παρ' οὓς, 'the whole series of emergencies in which.' παρ' οὓς represents these emergencies as occurring all along a line, as it were.

τοὺς εὐρομένους, sc. τὴν χάριν, easily supplied from χάριν κομίσασθαι.

Δημοφάντου στήλης. This was erected immediately after the expulsion of the thirty tyrants, in B.C. 404.

Φορμίων, the advocate of Apsephion. See Introduction.

§ 160. *περὶ τῶν παρεληλυθότων*, which we know all about, and *τῶν μελλόντων*, which are yet absolutely uncertain. The strong point in this argument of Demosthenes consists in Leptines having allowed exceptions in the past, and leaving no room for them in the future. He would probably have answered that his exception was a concession to popular feeling, but that even under similar circumstances he would be for granting no such exemption in the future.

P. 53, § 161. *ὅτι νῆ Δία*. This is the regular formula for introducing a supposed argument of an antagonist which it is presently intended to answer.

τοιούτον τι, such as the tyranny of the Peisistratidae.

μηδεὶς ἂν νημισῆσαι, 'we may be sure that no one would view with jealousy;' referring to the jealousy with which the gods were supposed to look on anything that savoured of arrogance or self-confidence in men. *μηδεὶς*, not *οὐδεὶς*, because the principle is represented as actuating the legislator in framing his laws.

πάντα ἀνθρώπινα ἡγεῖσθαι, 'to consider that there is no change of fortune to which man is not liable.'

εἰς τοιαῦτα πράγματα, sc. into such a humiliating position as they had occupied since the battle of Leuctra, in B.C. 369.

Συρακόσιοι. The democracy at Syracuse lasted from the expulsion of Thrasybulus, in B.C. 466, till the appointment of Dionysius, originally a clerk in a public office, to the post of sole general, which he soon converted into a tyranny in B.C. 405. Their supremacy over Carthage dated from the victory of Gelon at Himera in B.C. 480. The victory over the Athenian fleet was the discomfiture of the Sicilian expedition in B.C. 413.

ὅς ὑπηρέτης ἦν. These words are rejected by Reiske as a gloss. They would express the *status* of Dionysius, the post of *γραμματεὺς* being a *ὑπηρεσία*, or salaried office, not an *ἀρχή*.

§ 162. *ὁ νῦν ὢν Διονύσιος*. The younger Dionysius, who succeeded his father in B.C. 367, was driven from his throne in B.C. 357 by Dion, who seized upon Syracuse in his absence with a force consisting of two merchant vessels and less than 1000 mercenary troops. Dionysius was assassinated in the year after this trial.

§ 163. *φυλάττετε καὶ μένησθε*. Two synonymous words are combined to add weight to the injunction. So in § 167 *φυλάξατε καὶ μνημονεύετε*. The time during which they were to bear the point in mind is there specified, *ἕως ἂν ψηφίσῃσθε*.

τὰ κρείττω. Their verdict really involved the choice between two rival propositions, of which Demosthenes had already pointed out, in § 89, that it was the duty of the judges *ἀκούσαντας* *ἐλέσθαι τὸν κρείττω*.

P. 54, § 164. *ὡς ἔστω*, 'as I am content there should be.'

πρὸς ἅπαντας, 'in the face of all;' differing from *παρὰ πᾶσιν* in the following sentence, as implying that the city would be in a position to look all critics full in the face.

§ 165. *τοσαύτην βλασφημίαν*, 'so great a slur upon your character.'

τῶν περιεστηκότων, like *τοὺς περιεστηκότας* *ἔξωθεν καὶ ἀκροωμένους*, de Cor., p. 293, 23, of the audience, standing outside the limits of the court, to hear the trial.

τῶν καθημένων, 'who sit in judgment.' *οἱ καθημένοι* is the regular expression for the audience before whom an orator is pleading, whether it be the judges in a court, or the people in their *ἐκκλησία*. It is used in the latter reference in Phil. ii. p. 66, 12; cp. de Cor. p. 285, 2.

φιλανθρωπία πρὸς φθόνον κτλ. Wolf compares Cic. Cat., ii. 11, 25, 'Denique aequitas temperantia fortitudo prudentia virtutes omnes certant cum iniquitate luxuria ignavia temeritate, cum vitiis omnibus. Postremo copia cum egestate, bona ratio cum perdita, mens sana cum amentia, bona denique spes cum omnium rerum desperatione confligit.'

§ 166. *τοῖς βελτίοσι*, sc. benevolence, justice, and the other virtues.

κἂν τις ἄρ' ἔλθῃ. *ἄρα* implies that the hypothesis to which it is attached is looked on as very improbable, or at least to be deprecated.

ὡς ἔστι δίκαια, 'how the truth stands with regard to them,' sc. *τὰ πολλὰ*.

ἀφῆρέθητε, 'you let yourselves be deprived of the information.'

§ 167. φυλάξατε καὶ μνημονεύετε. For the change of tense see on § 87.

τὸ νόμισμα κτλ. The same comparison is worked out at greater length on the authority of Solon, in Timocr., p. 765, 23.

λόγον δώσετε, 'you will admit to plead before you.' So λόγου τυχεῖν, 'to obtain a hearing,' de Cor. p. 229, 14.

οὐ δῆπουγε, sc. δώσετε.

Οὐκ οἶδ' ὅ τι κτλ. This is a favourite form of ending a speech, both with Demosthenes and other authors. See Isaeus de Apollodori Sorte, and de Cironis Sorte; Lysias de Frumentariis; Dem. pro Phorm., adv. Nausim., in Cononem.

EXCURSUS I.

Λειτουργίαι.

1. IN ordinary times at Athens there was no such thing as direct taxation of the citizens. It was considered fair and reasonable that the resident aliens (μέτοικοι) should pay a poll-tax (μετοίκιον) in consideration of the protection they received from a State on which they had no claim by birth; but citizens were supposed to have a right to the free use of their lives and property, exempt from all taxation; and direct taxation levied upon them, except in times of emergency, was thought in Greece to be essentially a mark of despotic and unconstitutional government. Even during war such burdens were only to be imposed as a last resource, and consequently we do not find at Athens that any property-tax (εἰσφορὰ) was ever levied till the revenues of the State began to be crippled by the revolt of Mytilene in B.C. 428. The exceptional nature of the tax is further seen in the fact that no exemptions from it were ever allowed, even to the descendants of Harmodius and Aristogeiton, or to minors, or to those who were actually performing the service of the Τριηραρχία.

2. But it was considered part of the duty of the wealthier citizens to perform certain special services for the State at their own expense, perhaps in consideration of the higher political privileges which in the earlier times of the republic they enjoyed. These would give an opportunity for honourable distinction, and appear, as a general rule, to have been sought after, and carried out with a magnificence that more than satisfied the requirements of the law, though in times of depression, or in the case of the poorer citizens who were liable to undertake them, the burden which these involved was severely felt. They may be compared to offices such as those of high sheriff or mayor or county magistrate among ourselves, where, even if any salary is attached to the office, it is commonly understood to be quite inadequate to the expense involved, and the officer practically gives his time and money as a contribution to his country which his position requires at his hands.

3. At Athens such services were called *λειτουργίαι*; and they were of two classes, the one recurring regularly in peace and war alike, the other making partial provision for the extraordinary expenses of the State in war. The former were called *ἐγκύκλιοι λειτουργίαι*; for the latter there is no specific name, perhaps because the *τρίηραρχία* is the only variety of service which, strictly speaking, falls within the class.

4. The *ἐγκύκλιοι λειτουργίαι* comprised four kinds of office, which every citizen who possessed a capital of three talents (about £720), and had no special exemption, might be called upon in turn to fill. These were *χορηγία*, the furnishing a chorus for a dramatist contending at any of the festivals of Dionysus; *γυμνασιαρχία*, involving the maintenance and pay of those who were in training for the public games; *ἀρχιθεωρία*, the superintendence of the sacred embassies, especially to Delos; and *ἐστίασις*, the entertainment of the members of each tribe at a public banquet. Of these the *χορηγία* was the most important, and the name *χορηγία* is not unfrequently used in a generic sense to include all the four ordinary *λειτουργίαι*. The concrete *χορηγός* is more especially so applied to designate the holder of any of these offices, the word *λειτουργός* not occurring in classical Greek. A fifth *λειτουργία* is sometimes introduced under this head in the *λαμπαδαρχία*, or superintendence of the torch races; but this was rather a branch, and in later times the main branch, of the *γυμνασιαρχία* than a separate *λειτουργία*.

5. Under the head of extraordinary *λειτουργίαι* are sometimes reckoned both the *εἰσφορά* and the *τρίηραρχία*; but the former had really nothing in common with the 'liturgies,' being an ordinary tax on property involving no personal responsibilities on the part of those who paid it. Its classification with the trierarchy seems to arise partly from the fact that they were each a special means of providing for war expenses; partly from the employment for the trierarchy in its later phases of machinery closely resembling that in use for the collection of the *εἰσφορά*.

6. The trierarchy appears to have existed from the time of Solon as a means of equipping and maintaining the triremes belonging to the State. The hull and mast of the vessel were furnished at the public expense, and the sailors were paid their necessary wages from the treasury, but the trierarch was required to equip the ship and keep it in repair, and commonly gave extra pay (*ἐπιφοράς*) to secure a serviceable crew. At first each ship was thus maintained by a single trierarch, who also acted as its captain; and there seems to have been no difficulty in obtaining a sufficient number of wealthy men to undertake the burden till after the failure of the Sicilian expedition in B.C.

412. The plan was then adopted of allowing two persons to join in the trierarchy, not as a universal rule, but in as many cases as it might be necessary, and these *συντρίηραρχοι* commanded their ship in turn during their year of office.

7. In B.C. 358, when a large fleet was suddenly required to act against the Thebans in Euboea, the existing machinery proved inadequate for the occasion, and the trierarchy was for the first and only time undertaken by volunteers, of whom Demosthenes was one.¹ This was obviously only a temporary expedient, and in the same year a complicated system, borrowed from the mode of collecting the *εἰσφορά*, was brought into use. According to this, 1200 *συντελεῖς* were appointed annually from the citizens liable to the trierarchy, and were divided into twenty *συμμορίαι* or classes, each of which was further divided into *συντέλειαι*, apparently varying in number according to the exigencies of the State, but usually four. The members of each *συντέλεια* were required to undertake the maintenance of a ship, so that ordinarily, instead of one or two men bearing the whole expense, it would be divided among fifteen. Demosthenes speaks of sixteen persons thus combining in the period immediately preceding B.C. 340,² so that if his figures are correct, some slight change, of which we have no other indication, must have been made in the arrangement, probably in the total number of the *συντελεῖς*.

8. Under this system, even if it had been fairly administered, the burden must have fallen very unequally on the various members of the *συντέλεια*. They were all supposed to contribute the same portion of the expense, and what was a serious burden to the poorer members was less than the more wealthy might reasonably have been expected to contribute. But the management within the *συντέλεια* seems to have fallen as a rule into the hands of the richest contributors, *ἡγεμόνες τῶν συμμοριῶν*, and Demosthenes charges some at least of these with contracting for the maintenance of their trireme for a talent, and then levying the whole talent from their associates, so as to escape scot free themselves.³ And generally he says that these wealthier members oppressed their poorer comrades, contributing little or nothing themselves.⁴ Accordingly, as early as B.C. 354, Demosthenes proposed a modification of the new system, leaving the arrangement substantially the same, but providing against the unfair distribution of the burden. As this proposal was never carried out, it is unnecessary to describe its details here; the next real change of system being introduced by a further law of Demosthenes passed in B.C. 340. By this the whole system of

¹ Dem. de Cor., p. 259, 12.

³ c. Meid., pp. 564, 565.

² De Cor., p. 261, 2.

⁴ De Cor., p. 260, 29.

συμμορταί was abolished, and the citizens who were liable to serve in each year were called upon to contribute in direct proportion to their taxable property. If a man had taxable capital of ten talents, implying that his whole property was worth fifty talents, then he was called upon to furnish one trireme; if more, then in proportion to its amount, but never more than three triremes and a tender (*ὑπηρέσιον*). If his taxable property was less than ten talents, then he was required to combine with others in like circumstances.¹ The amount of property which rendered a man liable to the trierarchy is nowhere exactly stated; but Boeckh can find no instance of a man with less than 500 minae (gross property) being called upon to serve.² It should be observed that from the time of the introduction of the system of *συμμορταί* the State furnished the stores as well as the hull of the vessel,³ so that the expenses falling on the trierarch were materially diminished.

9. Of those whose amount of property would have rendered them liable to perform the *λειτουργία*, a certain number were exempted for various reasons. These may be classified under three heads. *α.* Persons exempt because of the performance of other duties of the kind. Thus no one could be called upon to perform two 'liturgies' in the same year, or any liturgy in two successive years,⁴ or the trierarchy more than once in three years, at any rate in the time previous to B.C. 358.⁵ The nine archons were also exempt from all *λειτουργία*. *β.* Heiresses, orphans, till a year after they were enrolled among the citizens, *κληροῦχοι*, colonists sent by the State to occupy a military colony, and *κοινωνικοί*, this last being a term of doubtful import, but perhaps meaning coparceners, heirs of an undivided property which would have rendered the previous possessor liable, but which was not enough, had it been divided, to bring each of the coheirs under the liability.⁶ *γ.* Persons specially exempted for services rendered to the State. First among these came the descendants of Harmodius and Aristogeiton, whom even Leptines did not propose to deprive of their exemption. The number of others who would fall under this head appears to have been insignificant, and it is to be noticed that their exemption extended only to the *ἐγκύκλιοι λειτουργία*, not even the descendants of Harmodius and Aristogeiton being exempted from the trierarchy.

10. The position of the *μέτοικοι* in respect to the *λειτουργία* is not very clearly ascertained. They were liable to pay *εἰσφορά*, apparently on a higher scale than the citizens,⁷ but they were

¹ De Cor., p. 262, 1.

² Public Economy of Athens, B. IV. 16.

³ Dem. c. Meid., 1. c.

⁴ Lept., § 8.

⁵ Isaeus de Apollod. Hered., p. 67, 19.

⁶ Dem. de Class., p. 182, 15.

⁷ Dem. c. Androt., p. 612, 3.

not admitted to the responsible position of trierarchs. Of the ordinary *λειτουργία* we know that they were excluded from the *γυμνασιαρχία*, and probably they were not allowed to undertake the *χορηγία* at the greater festivals, though we know from this speech¹ that some *λειτουργία* devolved on them, and also that they, as well as the citizens, might have exemptions granted them. Boeckh² gives credence to the account of Ulpian, that they had a *ἐστίασις* of their own; and he mentions certain less honourable *λειτουργία*, the *σκαφηφορία*, *ὕδριαφορία*, and *σκιαδηφορία*, which devolved on them at the Panathenaic procession. (See Lidd. and Scott, s.v. *σκαφηφόρος*.)

11. It remains to consider the singular provision of the *ἀντίδοσις*. If any one who was nominated to perform any *λειτουργία* thought that another man, who was more properly liable than himself, had been unfairly passed over, he might propose to exchange properties with this other man, undertaking after the exchange to perform the required 'liturgy.' If the person thus challenged refused the exchange, then he in turn was called upon to bear the burden. The exchange extended to all the property belonging to either party, excepting only any share in the silver mines at Laurium, which were exempt from the *λειτουργία* as being liable to special taxes of their own. This curious regulation was one of the safeguards provided by Solon against arbitrary oppression, and it seems to have been frequently brought into operation, especially in the case of the trierarchy.

EXCURSUS II.

ON THE PROCESS OF LEGISLATION AT ATHENS.

1. THE whole of Athenian legislation may be looked upon as having the code of Solon for its basis. He was always the law-giver *par excellence*, and though the necessity of altering his laws from time to time was acknowledged by himself, and freely acted on in all subsequent periods of the city's history, yet such action was guarded by jealous precautions against hasty and ill-considered changes, such as might violate the spirit of the constitution, or introduce contradictory enactments into the code of laws.

2. Thus, though, in the time of Demosthenes, any citizen might propose a new law, yet he could only do so under very

¹ Public Economy of Athens, B. IV. 10.

² § 18.

close restrictions. The first step was to publish his proposals, which he did by writing them on a tablet (*ἀνέγραψεν ἐν σανίδι*), which he hung up before the statues of the *ἥρωες ἐπώνυμοι* in the Cerameicus (*ἐξέθηκε πρόσθεν τῶν ἐπώνυμων*). If the proposed new law was to supersede one already in existence, it was necessary to hang the two up side by side for comparison (*παραγράφεσθαι τοὺς νόμους*).

3. The next step was to have the law considered in the *βουλῇ*, or Senate of 500. If the proposer were a member of the Senate he could introduce it himself without more ado; but otherwise it was necessary to obtain permission for its introduction (*πρόσδοον γράφεσθαι*). If the measure received the sanction of the Senate, it became *προβούλευμα*, and was then ripe for introduction into the popular assembly, where it might be proposed at any time while the senators who sanctioned it remained in office. At the expiration of this time, if no further steps had been taken, it dropped as a matter of course. (See Demosth. adv. Aristocr., p. 651, 16.)

4. At the meeting of the *ἐκκλησία* the business of the day was laid before it by the *πρόεδροι* (*ἐχρημάτισαν οἱ πρόεδροι*); after which they called on the citizens to speak (*λόγον προὔτιθεσαν*). The proposer of the law then introduced his measure (*ἐθηκε νόμον*), and a debate ensued, in the course of which, with the consent of the *πρόεδροι*, it was competent for other citizens to move amendments. At the close of the debate the chairman of the *πρόεδροι* might still refuse to put either the original motion or an amendment, on the ground of its contravening existing laws; but for this he was liable to be tried by a process called *ἐνδείξις*, and if his reasons were found to be insufficient to justify his refusal, he could be punished by imprisonment or even death. (Plat. Apol., p. 32A.) If he saw no reason for interference, he put the question to the vote (*ἐπεψήφισεν, ἢ ἐπιχειροτονίαν ἐποίησεν*). In the case of voting between two proposals, as between a new law and an old one which it sought to supersede, or between an original motion and an amendment, he was said *διαχειροτονίαν δίδοναι*. The voting was by show of hands, and if the measure was carried, it became at once *ψήφισμα*, and was in force for a year.

5. Up to this point the process was the same whether the measure proposed was intended as a permanent addition to the code of laws, or merely to serve a temporary purpose, such as the proposal of Ctesiphon to crown Demosthenes, which gave rise to the speeches on the Crown. In the latter case the purpose was fully served, and no further steps were necessary. But if it were intended to raise the *ψήφισμα* to the position of a *νόμος*, or permanent law, then it was referred to the court of

the *νομοθέται*, whose duty it was to examine carefully whether its provisions were inconsistent with any existing laws, or any main principle of the constitution. If it avowedly involved the repeal of another law, this latter was defended by publicly appointed *σύνδικοι*, and any one else who might be disposed to aid them. The *νομοθέται* were not concerned with the merits of the measure, and if they pronounced in its favour on technical grounds, their decision made it law (*νόμον*), and it was duly registered among the archives kept in the temple of Demeter (*ἐν τῷ Μητρώῳ*).

6. The *νομοθέται* were appointed annually, from the *δικασταὶ* of the Heliastic court, at the third *κυρία ἐκκλησία* in each year. The manner of their election is uncertain, but it was probably by lot. In a case quoted by Demosthenes (in Timocr., p. 708, 27), they were 1001 in number, but the very specification of the exact number on that occasion makes it probable that it varied, in proportion to the amount and the importance of the business that was before them. The *πρόεδροι* presided in the court of the *νομοθέται*, as in the *ἐκκλησία*, and the vote was taken openly by *χειροτονία*.

7. Besides the power thus given to individual citizens of introducing alterations in the law, there was a general review of the existing code of old laws at the first *κυρία ἐκκλησία* in each year (*ἐπιχειροτονία νόμων*), and if any objection was then raised to any of them, the question was similarly referred to the *νομοθέται*. A second annual revision by the *θεσμοθέται* seems to be spoken of by Aeschines (in Ctes., p. 59, 12), though some writers think that this is identical with the other. It seems, however, more probable that it took place towards the close of their year of office; but the whole passage is obscure. If it was an independent revision, any questions arising out of it were equally referred to *νομοθέται*, who seem in that case to have been specially appointed for the purpose.

8. In addition to all the precautions thus adopted against hasty and inconsistent legislation, a further safeguard was provided in the power given to prosecute the proposer of any law for introducing an illegal measure. This was called *γραφὴ παρανόμων*, and the proposer was liable to its penalties from the time that the measure passed the Senate till the expiration of a year from the date of its becoming *νόμος*. If this period were allowed to pass without an action being commenced, then by the statute of limitations (*προθεσμίας νόμος*), the personal liability of the mover ceased; but the same machinery could be brought to bear, as in the case of Leptines, for the abrogation of the law. The first step in the process was an affidavit on the part of the prosecutor that he meant to bring an action, corre-

sponding to the *προωμοσία* in an ordinary suit. In the case of the *γραφὴ παρανόμων* this was called *ὑπωμοσία*, a word commonly meaning an affidavit on which to ground an application for the postponement of a trial. The propriety of the name consists in the effect produced by the commencement of the *γραφὴ παρανόμων*, by which all further action in respect of the contemplated measure was suspended till the suit should be decided. And in many cases the result was the practical overthrow of a proposal, its mover not caring to proceed further in the face of the threatened action. In such a case he was said *ἔαν τὸν νόμον ἐν ὑπωμοσίᾳ*. If he determined to contest the point, he met the *ὑπωμοσία* by an *ἀνθυπωμοσία*, an affidavit that he meant to defend the action, and then it proceeded in due course to trial in the Heliastic court. If the prosecution was successful, the case being an *ἀγὼν τιμητός*, he and the defendant respectively named what each considered an adequate penalty, and the court imposed whichever of the two it thought the more suitable. If the action failed, the measure assailed could be proceeded with from the exact point which it had reached when the *ὑπωμοσία* was sworn against it; but if it were already *νόμος*, the prosecutor seems, from the speech against Leptines, to have been bound to propose an alternative measure in its place. If the prosecutor failed to obtain one-fifth part of the votes, he was subject to a fine of a thousand drachmae, and incapable of exercising civic rights (*δίκμος*) till this was paid. In the case of the law of Leptines we find advocates appointed by the State (*σύνδικοι*) to undertake its defence, of whom Leptines himself was probably one; but this would be because his measure was already law, and as such, under the protection of the State till sufficient cause was shown against it.

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